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U.S. Industrial  
Commission

Hearings...on relations and  
conditions of capital...

Washington

1899

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HEARINGS

BEFORE THE

# INDUSTRIAL COMMISSION

ON RELATIONS AND CONDITIONS OF

## CAPITAL AND LABOR

EMPLOYED IN

MANUFACTURING AND GENERAL BUSINESS,

IN PURSUANCE OF

AN ACT OF CONGRESS AUTHORIZING THE APPOINTMENT OF A NONPARTISAN  
COMMISSION TO COLLABORATE INFORMATION AND TO CONSIDER AND  
RECOMMEND LEGISLATION TO MEET THE PROBLEMS  
PRESENTED BY LABOR, AGRICULTURE, AND  
CAPITAL, APPROVED JUNE 18, 1898.

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WASHINGTON:  
GOVERNMENT PRINTING OFFICE.  
1899.

Columbia University

#### MEMBERS OF THE INDUSTRIAL COMMISSION.

Senator JAMES H. KYLE.	Mr. ANDREW L. HARRIS.
Senator BOIES PENROSE.	Mr. S. N. DEXTER NORTH.
Senator STEPHEN R. MALLORY.	Mr. ELLISON A. SMYTH.
Senator JOHN W. DANIEL.	Mr. JOHN M. FARQUHAR.
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Representative L. F. LIVINGSTON.	Mr. CHARLES J. HARRIS.
Representative JOHN C. BELL.	Mr. M. D. RATCHFORD.
Representative THEOBOLD OTJEN.	Mr. JOHN L. KENNEDY.
Mr. LEE MANTLE.	

## INDUSTRIAL COMMISSION.

### CAPITAL AND LABOR.

#### TOPICAL PLAN OF INQUIRY OF SUBCOMMISSION ON MANUFACTURES AND GENERAL BUSINESS.

##### PART I.—AS TO LABOR IN THE SEVERAL INDUSTRIES.

###### COMBINATIONS OF LABOR.

1. Constitutions and regulations of the several trade unions and other labor organizations; initiation fees and dues; funds and benefit features.
2. Growth of trade unionism; proportion of total employees embraced in membership; in the several industries and the several States; allied trades; the union label.
3. Incorporation of trade unions; feasibility and legal effect.
4. Relations to nonunion labor and the right to liberty of contract.
5. Unskilled labor, organized or unorganized.

###### STRIKES, ARBITRATION, AND CONTRACT LABOR.

6. Enumeration of the several causes leading up to strikes.
7. Economic results of strikes and lockouts; to workers; to employers; to the community at large.
8. Methods of strikes; the boycott; the black list; picketing or patrolling; other methods of influencing results, whether by employers or employees; sympathetic strikes.
9. The importation of new or foreign labor under contract, or otherwise; operation of the law forbidding the importation of contract labor.
10. Conciliation, mediation, and arbitration; under State law; by joint committees, temporary or permanent.
11. Compulsory arbitration.
12. The injunction in strikes.

###### WAGES AND METHODS OF PAYMENT.

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14. Time work; piece work; overtime work; task work.
15. Sliding wage scales, operation of; minimum wage scales.
16. "The living wage;" the standard of living.
17. Store orders, and payment in kind.
18. Fines and penalties.
19. Factory tenements.
20. Differences in wage schedules in different States and sections.
21. Relative rates of wages during the past fifty years.
22. Relative social condition of labor during the past fifty years.
23. Influence of organized labor on wages.

###### EMPLOYMENT.

24. Increase or decrease in number employed in the several industries; excess of employees; the unemployed.
25. Effects of new and improved machinery on labor.
26. Effects of employment of women and children on themselves; on male employment.
27. School age of children in the several States.



## EMPLOYMENT—Continued.

28. Causes of irregularity of employment.
29. Average days employed in the year.
30. Apprenticeship, present status and regulation of, in the several States and industries.
31. Hours of labor in the different trades and industries; in the several States; Sunday labor.
32. National, State, and municipal employment of labor.
33. The shorter workday movement; economic and social argument for and against.
34. Sweat shops, so called; conditions of labor in; the several State laws for their regulation; suggestions for unification or modification of these laws.

## COOPERATION, PREMIUM PAYMENTS, PROFIT SHARING, INDUSTRIAL COPARTNERSHIP, ETC.

35. Practicability and present status of these methods.
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38. Suggestions for the regulation of immigration.
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40. Colored labor.
41. Sufficiency of public school facilities.
42. Suitability of public school instruction to needs of working people.
43. Trade schools; manual training; technical education.
44. Public libraries; reading rooms; lyceums.

## CONVICT LABOR.

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46. Suggestions for its noncompetitive employment.

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48. As compared with other lines of investment; banking, real estate, railroading, mercantile business, etc.
49. Effects of restrictive and other industrial legislation on the capital employed in manufacturing, in the several industries, and in the several States.
50. Shares of capital and labor in the industrial product.
51. Taxation of manufacturing and mercantile establishments. (a) Character, extent and effects of, in the different States. (b) Suggestions for the modification and unification of tax methods, State and local. (c) Discriminations in freight rates, on raw materials, on manufactured products; effects of, on capital, on labor, and on localities.
52. The migration of industries from and to localities; causes, natural and artificial.

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54. The legal regulation of trusts and other forms of monopoly; operation of existing antitrust laws; suggestions for modification or extension.
55. Combinations of manufacturers; causes inducing them; objects sought by them; results secured; rules, regulations, and constitutions; manner and extent of enforcing authority.

## PRODUCING CAPACITY OF MODERN MACHINERY.

56. Present machinery capacity of the several industries, in relation to consumption and existing markets.
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58. Overproduction and underconsumption; causes and remedies.
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60. Cost of production during the past fifty years.

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62. Sanitary and personal safety laws.
63. Factory inspection laws.
64. Laws regulating employment of women and children.
65. Laws regulating payments, penalties, procedure, etc., in factories and shops.
66. Laws regulating conciliation, mediation, and arbitration.
67. Mechanics and laborers' lien laws.
68. Uniformity of industrial legislation in the several States.
69. Suggestions for remedial legislation: (a) National legislation; (b) State legislation.

## TESTIMONY OF HON. CARROLL D. WRIGHT,

*Commissioner of the Department of Labor.*

At a meeting of the Industrial Commission at its offices in Washington, D. C. convened at 10 a. m., Thursday, December 15, 1898, Hon. Carroll D. Wright Commissioner, Department of Labor, being present at the invitation of the commission, commenced to testify at 11 a. m. The following is a report of the preliminary remarks of Chairman KYLE, the interrogatories propounded by members of the commission, and the answers of the Hon. Mr. Wright thereto:

Chairman KYLE. Gentlemen of the Commission: The Chair will state that, as a commission, we have now been engaged in work more than a month upon the very important duty of outlining our plan of procedure, and the results of our work are in the shape of the syllabi that are now before us. In my judgment the work of the commission has been very efficient—has been well performed, and I think that when these syllabi go to the country they will be evidence of the earnestness of purpose on the part of the commissioners to investigate every branch of the subjects that are outlined in the bill creating the commission. We have before us this morning Col. Carroll D. Wright, the Commissioner of Labor, who, as you know, has a national reputation as a statistician, and especially in reference to labor problems; and I will state to the Colonel that the object of calling you before the commission this morning is to take a comprehensive view of the syllabi, as presented here, and make any suggestions that occur to you, in answer to interrogatories by members of the commission, as to sources of information. The commission has worked hard, as I stated a moment ago, to prepare these syllabi; they know what they want—we all know what we want, but we do not always know where to find it; but we call you this morning, not as a witness at this time, but to get from your storehouse of knowledge anything you may have to suggest with reference to these individual syllabi. The first we might take up this morning is the syllabus for manufactures. We will use that as a basis for our considerations. I will suggest, as the Colonel proceeds, that the chairmen of the several subcommittees, and those who had part in the formation of the syllabi, propound questions to the Colonel touching the points upon which you wish information.

Q. (By Chairman KYLE.) Colonel, you may state your full name and address.—A. Carroll D. Wright, Commissioner of Labor, 1429 New York avenue, Washington, D. C.

Chairman KYLE. You have before you the syllabus or topical plan of inquiry for manufactures. The chairman of this subcommittee is Mr. Smyth. In his absence, Mr. North, who had very largely to do in arranging the plan of inquiry, will propound certain questions with reference to this syllabus.

Mr. NORTH. Mr. Chairman, I would like to ask Colonel Wright if he desires to make any preliminary statement to the commission before we take up these syllabi serially.

Chairman KYLE. It is entirely proper.

Mr. WRIGHT. I have read each syllabus; in fact, have studied each one, and I wish to congratulate the commission upon the comprehensiveness of its work in this direction. I believe but few points have been left untouched, and that these will suggest themselves as the work of the commission proceeds. If the information is obtained, as sought for by these several plans of inquiry, the commission will have accomplished a vast work and one of the greatest possible benefit, even if it goes no further.

Q. (By Mr. NORTH.) Mr. Chairman, I suggest that we take up the several topics as they are listed on the printed slip before us; and I would ask Colonel Wright if he will inform the commission if there exists in his office, or in any place with which he is familiar, any set of the constitutions and by-laws of the various trade unions and trade assemblies and confederations of the United States.—A. The Department has in its collection a great many of the constitutions and regulations of the several trade unions, but they are all easily obtained of the different headquarters.—American Federation, Knights of Labor, and other organizations—so far as the organization of each is concerned, but there are so many hundreds of local organizations, each having its own constitution and set of regulations, that it would be quite difficult to secure the whole body; but the reports of the different headquarters, I should say, would be ample to give the commission all the information it may desire on that point.

Q. Is there in existence any consolidated statement showing the total funds for benefit purposes of the trade unions of the country?—A. There is not, to my knowledge. The Department is now engaged in collecting facts relative to the benefit features of trade organizations, and in a certain sense I think it has been successful. The results of that inquiry will be reported early in the year in one of the bulletins of the Department. We have already reported the facts concerning the benefit features of printing establishments and of typographical unions. Those will be found in our November bulletin, already published, No. 19. The other features will appear later. I think they will be comprehensive enough to give the commission what it wants; but to get the benefit features of each and every organization would be quite impossible—I mean of the local organizations. Trade unions—I will use that in my remarks as representing all trade organizations, if the commission please—are going more and more into the work of benefit provisions, sick benefits, those which are paid when accidents occur, and some of them pay benefits when members are out of employment. Heretofore the benefit funds have related very largely to strike matters.

Q. Under (2), I would like to ask Colonel Wright if there is any statistical data in existence which indicates the growth of trade unionism in the United States.—A. Only in a very partial way. The reports from year to year of the different organizations will show in an indicative way that growth, although some of the organizations are not always ready to state their membership. I suppose at the present time there are not less than a million members in the various labor organizations; perhaps two-thirds of them coming under the specific head of trade unions, as represented by the American Federation of Labor.

Q. Has there ever been a history written of the American trade unionism?—A. Yes; you will find several such. To name specifically the sources of general information on trade unionism, I would refer you to a work by Mr. George E. McNeill, one by Mr. Powderly, one by Richard T. Ely (the title of his book is *The Labor Movement in America*—a very instructive work, giving something of the history of trade unionism in this country, the members of various labor organizations, etc.). There is also a work by Mr. John C. Simonds, an exceedingly valuable document, published in Chicago a few years ago. Because of these private publications, which have gone into historical matters more or less valuable, it has not been thought wise for the Department of Labor itself to take them up, as it does not like to cover ground that is already covered by private publications.

Q. Under the head of (3), I would like to ask Colonel Wright if he will state to the commission the present status of the movement for the incorporation of trade unions, and whether that movement has made any progress in England or any other country.—A. In this country several of the States provide by legislation for the incorporation of trade unions. The Federal Congress has also passed a law providing for the same where an organization has its headquarters in Washington. I do not know of a single instance in this country where a labor organization has been incorporated under either State or Federal laws. There may be such, but I do not remember meeting with the fact.

Q. (By Senator MALLORY.) Are there not State laws authorizing the incorporation of benevolent associations under which trade unions have organized?—A. There are such laws, and purely benevolent societies, which grow out of the apparent organization, have, in some instances, incorporated under these laws.

Q. (By Mr. NORTH.) Can you give any reason why the trade unions have not taken advantage of laws permitting their incorporation?—A. So far as I am informed by trade unionists themselves, they have no objections to the laws providing for incorporation, but they have not seen fit to take advantage of them for the reason that under an incorporation their union would become a person under the law, which could sue and be sued as any other corporation, and result in a

liability for actions which their funds would not warrant. I think there is a growing feeling among trade-unionists that sooner or later the incorporation of their bodies will be not only desirable, but a necessity. They recognize that under an incorporation they would have rights in court which they do not have now as purely voluntary associations. They have had considerable experience in attempts to be represented in proceedings affecting their interests, and especially when railroads, for instance, are under the control of receivers. The new Federal act relating to arbitration—conciliation and arbitration—as affecting carriers engaged in interstate commerce, provides that, whether incorporated or not, the officers of a union shall be granted representation in court when receivers are in charge of a road. I think this principle will grow, and that trade unions generally will be quite willing to be placed on a level with the organizations of employers, which are usually incorporated, so that they will have equal rights before the courts. As I have said, the chief objection lies in the possibility of pecuniary responsibility.

Chairman KYLE. Take these questions up seriatim; after the members of the subcommittee have taken advantage of the opportunities of propounding interrogatories, I would like any member of the commission who wishes to, to take the subject up.

Q. (By Mr. FARQUHAR.) I would like to know if Colonel Wright knows the proportion of incorporated trade unions in Great Britain to the whole body of trade unions; if he has any general idea what the percentage of the incorporated unions of Great Britain is to the whole body of unions there.—A. I can not answer the question as to proportion, but I would refer the commission to a very valuable work entitled *The History of Trade Unions*, by Sidney and Beatrice Webb, in which I think that whole question has been discussed; but, as my memory serves me, there have not been very many incorporated trade unions in England—a small percentage of the whole. They are more responsible financially for their acts in Great Britain than in this country, for most of them have large funds, and when they recommend, or a committee of a trade union recommends, to an employer certain changes in the administration of the employer's affairs, or a change of employees on account of lack of skill, or through other objections, they are responsible to the employer for the results coming from that change, provided he adopts it.

Q. Is it not a fact that the favorable operation of the British laws toward employees for the last twelve or fourteen years has nullified the need for incorporation among the unions themselves?—A. I think so.

Q. Don't you think it best for the safety of their funds that all trade unions should be incorporated?—A. Yes, sir.

Q. And the employer and employee are coming closer together through friendly legislation, are they not—that is, through arbitration and mediation, so there is no occasion for incorporation?—A. That is very largely true, and especially on account of the establishment of trade committees; the lace trade, for instance, has its own boards of arbitration. That is a growing feature in this country also.

Q. You have not in your Department any fixed or any comprehensive classification of all these labor unions, and as to the membership of them?—A. No, sir.

Q. And another thing, it would be impossible, almost, to state the nonunion membership of the country except from the union membership of the country?—A. If we knew the union membership we could easily state the nonunion membership.

Q. By taking the census?—A. By deduction.

Q. By deduction from census figures?—A. Yes, sir. Whenever I have made inquiries for the purpose of getting at economic facts, like the benefit funds, I have found a reluctance to turn over to the Department a list of the secretaries of the local organizations, and a greater difficulty in ascertaining the membership represented in the national body. It can be obtained for some, but even the official reports of some of the organizations do not state the membership, especially if, owing to the conditions of business, manufacturing, etc., there has been any falling off in the membership. They like to guard their own administrative affairs, and dislike to have official statements made as to membership. This has always prevented the Department from making an official classification of the labor organizations of the country. According to the census of 1890, under the best classification possible, there were 15,000,000 wage earners in the United States, actual wage receivers, and at that time there were probably somewhere from 1,300,000 to 1,500,000 members of various labor organizations, making a membership rising to nearly 10 per cent, perhaps, of the whole body of wage workers, in some union; so that the proportion, if that is the inquiry, in round numbers, according to the best estimates, not accurate statements, would be one in ten.

Q. (By Mr. PHILLIPS.) What proportion of women in the 15,000,000, if any, of wage earners? What per cent would be female—be women, if any?—A. I would not like to state the figure; but it is a little over 20 per cent of the whole number.

Q. But it embraces both?—A. Yes; it embraces men, women, and children. It has all been worked out.

Q. (By Mr. RATCHFORD.) Mr. Chairman, before we pass over the first subdivision, I should like to have the opinion of Colonel Wright, in a general way, with respect to the incorporation of trade unions, its advantages and disadvantages. The question occurs to me, in this connection, that the incorporation of trade unions is very largely hindered by reason of the failure of associated employers to incorporate under the law. It is true that large employers of labor incorporate under the laws, but it is rarely true where employers who are associated together in the sense of making annual agreements with their workmen are incorporated. For instance, the coal producers will meet their employees annually and make an agreement. Such an organization of employers or employees is not incorporated. The point I wish to make is this—that the workmen are largely discouraged from incorporating their unions or making themselves amenable to the laws of the State, subjecting themselves to liabilities and damages, while the employing classes are free from such loss and liabilities. I believe that the incorporation of trade unions and associated organizations of employers is an important question.

Q. (By Senator MALLORY.) I would like to ask Colonel Wright a question which is germane to the remark of Mr. Ratchford. Colonel Wright stated, as I understood it, that there is a more favorable disposition on the part of trade unions to incorporate now than there has been in the past; that the objection to incorporation was principally due to the liability to be sued in their corporate names. I would like to ask Colonel Wright, in connection with that, whether the fact that certain courts in this country—the United States courts—have so enlarged the law of injunction as to reach the individual trade unions, whether they are incorporated or not, has had any influence or effect in modifying the opposition to incorporating trade unions, in his judgment, if he has given the subject any thought?—A. I will answer the two questions in the order in which they were put. I agree with Mr. Ratchford entirely, that the opposition to incorporation on the part of trade unions lies very largely in the fact that employers' corporations sometimes have an association comprehending several corporations, and that that association is not amenable to the law regulating corporations; and that the trade unions do not wish to be subjected to actions which could not be brought against the parties with whom they are negotiating. This very point was well illustrated in the Chicago strike, where the Railway Managers' Association consisted of representatives of the twenty-four railroads centering in Chicago. That was a purely voluntary association without incorporation, and without legal responsibility. The unions—the American Railway Union—had to deal with that body, itself not incorporated. There lies very great difficulty in the question of incorporating trade unions. The incorporation of an association like the Railway Managers' Association, would be the direct legalization of a vast trust. The incorporation of a group of labor unions would perhaps be considered the same thing, but where a single union, like the Brotherhood of Railway Conductors, is incorporated, and it should deal with a single railroad, which is incorporated, they would then be on an equality before the law. That is a question that will crystallize itself on and voluntary associations, whether of employers or of labor unions, will find themselves at a disadvantage before the public or in the public estimation, because, as associations, they will do certain things or order certain things done, for which no single member, whether that member is another corporation or an individual, can be held responsible. It is a very complicated question, in which the rights of the public are not yet so generally recognized as the individual rights of the members of the two voluntary associations.

In answer to Senator Mallory's question I will say that the extension of the doctrine of injunction so as to reach a man before he commits an act, for which, if committed, he would be subject to trial by the criminal courts, has led many trade unionists to believe that they can relieve themselves of individual responsibility through incorporation. That question of injunction, I see by the syllabus, is a part of the inquiry of this commission, and the whole doctrine of it from the start, five hundred years ago in England, when this very question of injunction was carried out in the methods now familiar, and then abrogated, has all been clearly stated in the little work which is at the command of the commission.

Q. (By Senator DANIEL.) What is the name of that book?—A. It is by Mr. F. J. Stimson. I think you have that already. It is an exceedingly valuable and scholarly work.

Q. (By Representative GARDNER.) To go back a little way. You stated, if I understood you correctly, that if the members of a union in England requested a manufacturer to make certain changes, on representations of theirs, that they were liable for the result?—A. Not liable, but responsible.

Q. Well, responsible. Well, now, what is the distinction you mean to make? In other words, how are they responsible?—A. The best answer I can give would be to state an exact case. If a committee of the union says to the employer, "You have a man on a certain piece of work whom we do not consider skillful in his line, and we do not like to have him employed with us, and recommend that he be discharged," the employer says, "Very well, bring me a man that is skillful and who can perform the work for which I hire this man," and the union or the committee places a man there. The mutual understanding is that the union, taking that action, will be responsible for any damages in production that might result from his lack of skill. There is no law which makes the union liable, but it is a responsibility which the union takes, and the employer is quite ready, as a rule, in those instances, to adopt the suggestion of the union.

Q. Perhaps that answers the question. The question being considered was the reason for the incorporation and nonincorporation on account of the responsibility and nonliability of the trade unions. In that connection, it was stated that they had certain responsibilities which I understood to be liabilities, which they have in Great Britain. I supposed, from the nature of the questions and the nature of the answer, that that meant a responsibility fixed by the law, and if so, that led to other questions, and would raise the question whether the law itself did not impose such responsibilities and probably provide such protection and methods of procedure as to make the trade unions so recognized by the law that it would have the powers and responsibilities of an incorporation by reason of its mere formation; but I understood you now to say that it is a responsibility that is merely voluntary on the part of the trade unions and not imposed by the law at all?—A. That is the case in England.

Q. Well, that being so, of course it has no relation to the legal responsibility?—A. Not the slightest, nor do I suppose that an incorporated trade union could be held liable for just that kind of action, nor on any other basis where it acted as a union. The incorporation would not make the recommendation of a union or a committee liable for such a change of an employee.

Q. Well, an incorporation of itself might not unless that was the law?—A. Unless that was a provision of its charter.

Q. But I understood you to say that was the law?—A. I did not wish to be so understood.

Q. (By Mr. KENNEDY.) Has there not been a remarkable decline of the Knights of Labor, amounting to a corresponding increase in the trade-union movement in the country since 1885 or 1887?—A. Yes, sir; in 1885, I think more properly in 1887, the Knights of Labor numbered about a million members. At present I can not say what it numbers, but probably in the vicinity of 100,000.

Q. I see by Bliss's Encyclopedia of Social Reform its membership is stated to be a few thousand in one place, and in another place as 10,000?—A. I presume they have 100,000, so far as individual members of the order have informed me. At least, they are unwilling to admit it has less than 100,000, while the American Federation of Labor has grown from about that number, 100,000 or so, to nearly 650,000 at the present time. I do not know but what it numbers more than that. I have not noticed the last report.

Q. I would like to ask what you believe to be the cause of the remarkable decline of the Knights of Labor movement in this country?—A. That requires a very peculiar analysis, but I should say, ignoring all questions of personal administration in the two great orders, that the decline of the Knights of Labor and the increase of the Federation was very largely due to the principles underlying the two great orders. The trade union, as such, represents the crystallized work of a body of men engaged in the same occupation. It is the principle of self-defense against the general work of a community. The Knights of Labor, on the other hand, for its fundamental principle, is what you may say more generally socialistic. It seeks to place all wage-workers on a level—a high level, to be sure—and to deal with all on the same basis; a very ideal principle, but one which can not succeed at present. I think the difference—vital difference—in those two fundamental principles of the two great organizations has been largely responsible for the shifting of the membership. Of course there have been discussions which have helped the conflict along; and if you talk to individual members of the Knights of Labor as to why they have withdrawn from the order, you will get as many different reasons as the number of individuals you address; but when you

crystallize them, get each man's views into a concrete statement, it is generally that they are tired of paying dues for everybody's benefit; they would rather pay for the organizations which represent their trade. It is human nature against a very broad, general, socialistic principle. The one will prevail over the other some time, but not in our day.

Q. (By Representative OTTEN.) Are there not incorporated trade unions in other countries of Europe besides England?—A. I think not. I have no knowledge of any. We have very liberal laws all through this country for incorporation under general legislation—not by special charter from the legislative body, but under the general law—for all sorts of purposes, literary, charitable, benevolent, etc., which assist these voluntary organizations to protect their funds, if they please. The point made by Major Farquhar was a very strong one, and also the point made by Mr. Ratcliff; and, I believe, if you will allow me to express an opinion, that trade unionism will take a very great stride in securing the respect and cooperation of the public when it desires to incorporate. There are cases where incorporation would result in success, when the acts of voluntary associations would be apt to result in failure. It would dignify the whole business, to say the least, and protect the funds and protect the members.

Q. (By Mr. NORTH.) Strikes, arbitration, and contract labor, (6), (7), and (8)—strikes, boycotts, blacklists, etc., together in that part—will you be kind enough to give the commission any information you may have as to sources of information on these topics?—A. Relative to strikes and lockouts, our Department has published two very voluminous documents, the third and the tenth annual reports, giving the strikes and the results from an economic point of view for some thirteen or fourteen years, beginning it down to July 1, 1894. In the appendix of the third annual report the commission will find a history of strikes in this country from the earliest days, with the course of law and its interpretation by the courts as to what constitutes conspiracy in strikes, an exceedingly valuable compilation which will aid you very much and save you a great deal of time. All the other matters in (6), (7), and (8) are generally answered in those two reports, except as to "picketing," other methods of influencing results, whether by employers or employees; those points you will find discussed in some recent English works more generally than in this country.

Q. Does the phraseology of (8) methods of strikes, the boycott, the blacklist, picketing or patrolling, other methods of influencing results, whether by employers or employees, sympathetic strikes, strike you as being sufficiently clear and comprehensive?—A. It appeals to me in that way.

Q. Is the word "picketing" a word which conveys a distinct idea?—A. I think so, at the present time; under the interpretation of courts and the decisions which have been made you will find that picketing has been pretty clearly defined, and I think it is pretty generally understood, especially by labor organizations and the organizations of production—corporations or private firms.

Q. (By Mr. FARQUHAR.) There is another word, allow me to suggest, which has been used in some of the Eastern States—"patrolling." It is the same thing.—A. You will find some decisions printed in some of our bulletins, which are indexed on this very question.

Q. (By Mr. NORTH.) Would it improve this to have it read "picketing or patrolling"?—A. That, of course, would prevent any misunderstanding. Anything of that kind which is explanatory, without taking up too much space, is, of course, valuable; and I should think that would be a good suggestion. In addition to the reports in America, you will find very many of the State bureau reports dealing with strikes, and some of them dealing with picketing and the blacklist. You will also find, covering the last few years, very excellent reports as to strikes in other countries, through the publications of the English department of labor and French, Austrian, and Italian bureaus. All those reports, however, are briefed quite fully in abstracts in the bulletins of our own Department, and are all indexed since 1895. All those foreign reports as to strikes are easily obtainable through the State Department, or the commission can have the use of those in our own library whenever it wishes them.

Q. Can we obtain the government publications of other countries, for instance, relating to labor, without purchasing them?—A. You can obtain them by purchase, or if the commission will make an official request of the Secretary of State that certain documents, naming them, be supplied, the representatives of our Government at any court abroad would get them, by courtesy, for the use of this Government.

Q. In regard to (9) the importation of new or foreign labor under contract or otherwise; operation of the law forbidding the importation of contract labor?—A. The importation of new or foreign labor, under contract or otherwise, is a matter

which comes under the Treasury Department, and their reports and statements would be valuable to the commission, more than any which I could give, as I would have to borrow from them. The Commissioner-General of Immigration, Mr. Fowdley, could bring to you the information you desire.

Q. In regard to (10) conciliation, mediation, and arbitration, under State laws; by joint committees, temporary or permanent?—A. Some sixteen or seventeen States have laws providing for boards of arbitration. They are variously named, sometimes "board of conciliation and arbitration," sometimes otherwise, but generally along the same lines. All these laws will be found in our second special report, which gives the labor laws of all the States, and for the last two years and a half, since that work was published in our bulletins of labor laws, being typically indexed in No. 19 for the whole series. The States that have these laws have not had much experience, all of them. There are only three States whose experience would be worth studying by this commission; that is New York, Massachusetts, and New Jersey. A letter addressed to the secretary of state or to the board of arbitration, at the capital of each of these States, would bring the commission very promptly a series of their reports, showing just what they have done, how far they have succeeded, and how far they have failed. There is a law now, passed last June (1898), relative to carriers engaged in interstate commerce, to which I have already referred, but under which there has been no experience. The experience of England has been quite extensive, and the results are to be obtained in the series of reports published by the labor department there, while in France there has been more done, perhaps, than in any other country; in fact, it was in France that the *conseils des prud'hommes* had their origin, and the French and English have had great experience with their voluntary committees in trades.

Q. There is no board in England, is there?—A. There is now, under the law, a provision for conciliation and arbitration.

Q. What is it called?—A. I think it is called the board of arbitration.

Q. Is it not under the board of issue or the board of trade?—A. The arbitration law of England was enacted August 7, 1896, and the enforcement of it is under the board of trade, which, as you know, is a cabinet position in England. This law is very simple. It authorizes the board of trade to take steps to induce parties to meet and adjust difficulties by themselves or their representatives, the presiding officer or chairman to be agreed upon, or, if not agreed upon, to be named by the board of trade, following very closely the arbitration law of the Federal Government. Second, on application of either party it may appoint a person or persons to act as conciliators; and, further, on application of both parties it may appoint an arbitrator. Those are the principal provisions of the British act of arbitration, as it now exists. You will find in the report of the commissioner of labor, Mr. Smith, of England, the work that is done under this law. He publishes an annual report relating to arbitration alone, which you can easily obtain.

Q. Have you anything to say under (11) compulsory arbitration?—A. The only country that has ever tried it is New Zealand, under the Reeves Act, and, so far as I have been able to understand, it is perfectly satisfactory to one side and unsatisfactory to the other, and now there is a good deal of literature published to show that compulsory arbitration has reduced the number of persons employed, and that it is damaging the output of manufacturers of New Zealand. Others claim that compulsory arbitration in New Zealand does not apply to great industrial organizations, such as are to be found in this country and Great Britain.

Q. Mostly pastoral?—A. Yes, sir. No country other than that has tried compulsory arbitration. If you want to see the arguments for and against it, you will find it in the magazines. Dr. Lyman Abbott has published some arguments thoroughly defining compulsory arbitration, and the late Dr. Wayland, of Philadelphia—I can give you the specific references later. My own views on compulsory arbitration are to be found in *The Forum* for May, 1893. I have very decided opinions on compulsory arbitration.

Q. Have you any objections to stating, in a word, what they are?—A. Oh, no. Without discussing the incongruity of the term—you might as well speak of voluntary coercion as compulsory arbitration—the first economic result of compulsory arbitration would be to compel the manufacturer, for instance, to pay a certain wage under penalties of law, which is a very direct attempt to establish wages by law, and hence prices; and any compulsory arbitration law ought to provide that if the prices are not paid, such as would be necessitated by the law, the purchaser should be held responsible in some way. And, on the other hand, it would compel the employee to work for a wage which he did not wish to, and hold him responsible under some form of penalty for not working

for \$1.80 or \$2—\$1.80 when he was getting \$2, for instance—and there is no law big enough to put everybody in jail. Some would have to be left outside. Every time that any country has attempted to fix wages by law, whether in America or in Europe, there has been a very contemptible failure. The second effect of compulsory arbitration would be to compel the employer to shut up his works, and of all employees, if they did not like the decision, to quit work and leave the country. The third would be, if the manufacturer saw fit to carry on his works under the decision of a court of compulsory arbitration, to compel him to join a trust immediately; and I think if the Government ever wants to drive everybody into the trust form of carrying on business the compulsory arbitration would be perfectly satisfactory. It seems to me it would kill industry. I have no faith in it, either from a moral or economic view. I have always so expressed myself. It is a doctrine which, so far as I know, finds no approval of organized labor anywhere. I have never known of any trade unionist, or member of a labor organization of whatever character, to approve compulsory arbitration. There may have been cases. Certainly the employer would not approve it. While I believe in arbitration as a help, never as a solution of labor problems, it seems to me that compulsory arbitration would be a positive injury.

Q. Do you wish to add anything more under (13) the injunction in strikes?—A. I think I stated that fully. I hope this commission will study the injunction and strikes, or the injunction as it is now used or has been used the last five or six years, most thoroughly. The commission will find it not only exceedingly interesting (you will not take up subjects because they are interesting), but an exceedingly valuable one. It will throw more light, I think, in its study, on some of the questions outlined in these syllabi than almost any other one feature which it can take up. It is a complicated one.

Q. In regard to "Wages and methods of payment," can you give the commission any information on any one of these subheads?—A. That whole title relates to economical adjustment more than to the collection of information. The wages you can readily get for any of the subheads. Whether weekly, bimonthly, or monthly payment laws are advantageous or disadvantageous depends very largely upon the condition of the recipients. Sometimes the weekly payment works great hardship to the employer, especially in dressmaking establishments and such establishments where they do not have capital and depend upon a very unsatisfactory clientele to pay their bills, while in great establishments like railroads and manufacturing concerns there is no practical difficulty in the weekly payment or bimonthly, or any other; it is a mere question of bookkeeping with them, and I believe, so far as I know, there has been no recent antagonism to the frequent payment. The receiver of wages will give you varied testimony. Sometimes they will advocate it, and other times not. If the man is a good, steady man and a skilled workman and saves his wages or uses them judiciously, he prefers to have them every week. On the other hand, if a man is a dissipated man, the family gets less of the wages of the head of the family under weekly payment than they would under payment made on longer terms. It is very largely a moral question, the weekly payment question.

Q. Two sides to it?—A. There are two sides to it; yet the custom of paying at short intervals is increasing.

Q. (By Chairman KYLE.) At the desire of the workmen?—A. At the desire of the workmen. They say they can buy better for cash than they can on credit.

Q. Which is probably true?—A. Which is probably true. I have found it true in many cases, while the other side is perhaps the exceptional side. You can not do much with a man who spends his money for rum rather than flour, whether he receives his wages weekly or monthly.

Q. (By Mr. NORTH.) I will ask you in regard to (15) sliding wage scales, operation of minimum wage scales. Are there any practical instances of sliding wage scales?—A. Very many, especially in the iron and coal industries.

Q. Is there any such thing as a minimum wage scale in this country?—A. I think the minimum wage scale accompanies the sliding wage scale in certain classifications.

Q. (By Mr. RATCHFORD.) Let me ask where the sliding scale is in operation in the coal industry?—A. I am not able to say. I had supposed in coal mining there had been attempts to secure the sliding scale. It has been applied more in the iron industry.

Q. I understand a sliding scale to mean nothing more or less than that the wages of the workman advance or decline in proportion to the advance or decline in the price of a given article; iron, for instance, or steel.—A. Yes, sir.

Q. We have nothing like that?—A. No.

Q. (By Mr. FARQUHAR.) The Amalgamated Association is ruled entirely by a sliding scale, is it not?—A. Yes. The iron and steel industries establish a certain price as a unit of production, and while I am not aware that it is applied in the coal industry, I know it has often been discussed. I think you can find plenty of discussion of the subject in Mr. Weeks's works—Joseph D. Weeks.

Q. (By Mr. NORTH.) Went into it very thoroughly?—A. Yes, sir.

Mr. RATCHFORD. I might say in this connection, Mr. Chairman, that the sliding-scale form of wage agreements has many advocates and is looked upon by the miners with a great deal of favor. We have endeavored for years to establish it, but have failed.

Mr. FARQUHAR. I will inquire of Mr. Ratchford, were not a good many of the discussions in respect to the sliding scale in his trade applied on output?

Mr. RATCHFORD. No; there was a time in the history of the mining trade when we were supposed to have been paid in proportion to the value of a ton of iron, but that is a part of the history of the past; it has not been practical; neither the employers nor the employees have paid any attention to it for twenty-five years or more. Since that time, I might say, the wages of miners have been largely governed by the strength of their association, the condition of the general markets, and by the strength of the operators' association, etc. These are the determining factors.

Mr. WRIGHT. I had an impression when I first spoke that the sliding scale had been adopted in the coal trade on the basis of \$2.50 per ton, but this may have been in the anthracite coal industry.

Q. (By Mr. NORTH.) As to (17) store orders and payment in kind, is it not true, Colonel Wright, that that method of payment is very largely on the decrease in this country?—A. Yes; there are laws in very many States prohibiting it.

Q. Ought it not be prohibited in all States?—A. Unless you have angels for employers, or do as they did at Williamstown many years ago—establish a store on the basis of 6 per cent advance on the cost, and run it for the advantage of the employees and not for the purpose of profit for the employers. It might be made one of the most beneficent things. You will find it pretty well discussed in some of the State bureau reports, and the laws prohibiting it and trying to regulate it, although they are evaded in many instances. It is a very tempting thing to run "pluck me stores," as they are called, and get a profit which helps out the loss on the cost of production sometimes. It might be made a very beneficent institution.

Q. (By Mr. KENNEDY.) Is not what you say—that it might be made a very beneficent institution in production—illustrated by the workings in the War Department, where the officers in barracks having their families with them, receive everything they need to purchase for the living at about one-half the cost to other citizens in the same city?—A. Oh, yes; if the corporation will buy goods for cash and sell them simply at an advance to pay the expense of handling, it would be a very great benefit to the consumer.

Q. That is what the War Department does?—A. That is just about what the War Department does, and that is what some manufacturing companies do.

In regard to the "living wage," I would say there have been some recent discussions on that which are very intelligent, and applicable both in this country and in England. If the commission would like, I will look up the exact citations and send them to it.

Q. (By Mr. RATCHFORD.) Before we pass from the question of store orders and payment in kind, I should like to hear the opinion of Colonel Wright on one or two phases of that question. I want to ask if there is not, where such system of payment is in vogue, an incentive to the employer to fill his mine or factory with men, and, in the second place, is not a great injury thereby done to his competitor who is not operating such a store, by reason of his ability to put cheaper articles on the market through the advantages of his store? In other words, by operating a store in connection with his works, we find that he is sometimes able to sell his product at a less price than his competitor, and look to the store for his profits.—A. All those objections exist in a very great degree, and they are the things, connected with one other, which have condemned the system. As I said, only when the company store is run in the interest of the employees absolutely can it be considered a beneficent custom; and even run on the best possible basis it might interfere in a competitive way with somebody keeping store in that neighborhood; but the interest of every consumer is to get his goods at as low price as he can. The stocking of a store with a cheap grade of goods has been a very great fault in this system, and the company-store managers, or the corporations running them, have been able to recoup losses through the store, thus enabling them



to dispose of their products, as Mr. Rathford says, cheaper than their competitors in production. But the worst fault of all, it seems to me, is to be found in the unwritten threat, as it has existed very often in this country, of nonemployment or discharge unless one trades at the company store. I think that has been a criminal feature of the company-store business.

Q. (By Mr. NORTH.) As to (18) fines and penalties?—A. Fines and penalties constitute a very ticklish question, and has two sides to it. If the fines and penalties are made with integrity, I think no operative would complain, but when they are made for the purpose of reducing wages, without much regard to faults in production, then they become a very serious menace to the earnings of the employee. If fines and penalties could be done away with entirely, and a system of inspection established, I am rather inclined to think it would work better than the present law, especially as it exists in Massachusetts, on that subject. I do not think that law, relating to fines and penalties, is very popular with either class of people, employers or employees.

Q. It has been declared unconstitutional.—A. I am very glad of it. I should think it would be, because it enables an individual to establish practically what is a misdemeanor, and that is a feature of law which should never be delegated to the individual. If the legislature does not define what is a crime or misdemeanor, no individual should have the power.

Q. Has your Bureau ever made an investigation of the subject of fines and penalties?—A. No; we never have. Those are State matters, and the Department only takes those matters which are common to all. I think the custom of fines and penalties is one which is growing out of fashion. I think the employers themselves do not like it. It stimulates a temptation on the part of the operative to do something that he would not otherwise do.

Q. In the matter of (20) "differences in wage schedules in different States and sections," is there any record which shows the difference between wages in different States? It is a fact, is it not, that the differences in wage rates are very wide?—A. They are as wide in this country as they are between this country and other countries. They vary not only in the skilled trades, but in what you would call the factory employments. They are different in different sections, North and South, under different economic conditions. In skilled trades you will find, for instance, a carpenter will get \$3 a day in some place, and 20 miles from there \$2.50. They are shown by statistics that exist in the different States and in the Federal offices here. I may say to the commission that I have in preparation, and have had for two or three years, a report which gives the official statements of wages in the different commercial countries of the world for as many years back as I have been able to find them. I have depended entirely upon official statements, and only then when they were trustworthy. That work will make about 3,000 pages of solid figures relative to wages in different trades, classified by years and the hours of labor under each, and the number of persons upon which the statement is based.

Q. When will it be ready?—A. Probably a year from now. It is a very difficult thing to make. We have had to do it with the other investigations running along.

Q. We have passed (19) "factory tenements." Have you anything to say on that?—A. The question of factory tenements is a good deal like the company-store business. If factory tenements are properly managed, and the tenants are not held by any unwritten law to employment in certain works or being ousted, or anything of that kind, they seem to work very well. Many corporations are able to furnish good tenements at lower prices than private capital, but the difficulty is a moral one rather than an economic one. The desire to make a profit out of the tenements, which goes to the profits of the concern, is one which leads the management sometimes to exorbitant rates, under the implied threat that they must keep the tenements of the corporation if they wish employment. That threat, so far as I know, was never made openly anywhere, but in some cases the employees have been made to feel it through custom.

Q. In the case of a strike, by ejectment?—A. In the case of a strike, by ejectment, I have always contended that a corporation ought not to pay wages with one hand and receive rents with the other. I believe it leads to immoral conditions, unjust conditions, and unhappy ones. That was the underlying cause of the great trouble at Pullman a few years ago, and I believe, as a rule, unless tenants are perfectly free to come and go when they please, or hire where they choose, it has a tendency to create ill feeling between the employer and employee. It is one of the irritating factors in modern industry. It has worked well in places and badly in others.

Q. (By Mr. RATHFORD.) Do you not believe that the tenements and the store, in connection with the work, are sometimes used to coerce employees to yield to

certain things?—A. I have no doubt about it. As I said, it is one of the irritating factors in modern industry, and I should be perfectly glad to see both sides, the two sides of the equation, separate. Let the manufacturer go on manufacturing, and let the man live where he pleases; but when it sometimes happens in the establishment of a manufacturing plant that there are no accommodations for the workmen, the corporation has to establish tenements.

Mr. RATHFORD. Before we pass this over—I do not wish to consume too much of the time—I want to say a word on the question of tenements. I grant you there are instances in which the employer can not well secure the services of the number of men he wishes to employ until he furnishes them with those accommodations—tenement houses. So far as I am concerned, and have been, it is not his right to supply these houses that we have fought or contended against; it is the abuse of that right. I want to refer to the commission, and particularly Colonel Wright, to two cases which I have in mind. I know of one instance where an employee was forced to pay rent for a company tenement while he lived in his own house before he could secure employment. He had to agree to the payment of rent for a house which he did not occupy. There is one case of the abuse of that system. I know of another instance, where the company owns the land and the houses as well, and if any of their tenants become dissatisfied with the house they are living in, the company will give them a lease on the land for five years to build any kind of a house they wish, but at the expiration of that time the property reverts back to the company with the improvements. The house, if you please, built by the wages of the workman, falls back into the hands of the company. These are two gross abuses which I wished to point out to Mr. Wright and to the commission.

Mr. WRIGHT. These are the very reasons that I am not in favor of companies paying out wages with one hand and receiving profits from employees with the other. Those abuses have been quite frequent.

Q. (By Mr. NORTH.) That next topic (21), "relative rates of wages during the past fifty years," can you give the commission any sources of information on that subject—rates of wages as compared with ten and twenty years ago?—A. You will find very many collections of rates of wages in the different State bureau reports, and especially those of Mr. Wadlin, of Massachusetts, and in the Connecticut bureau, and in some of the western ones. You will also find a very elaborate collection in the Aldrich report, which covers the period from 1840 to 1891. There has been no very extensive collection of rates of wages since 1890 and 1891 by anybody, and the gross wages paid can not be ascertained except by the census. Taking the census for a period of years, you can get at the aggregate of wages paid, and secure a quotient, of more or less value, representing the earnings under different industries at the different periods. This is rather of a vicious quotient at times, but at the same time it is indicative. The rates of wages of skilled laborers, carpenters, bricklayers, painters, etc., have been stated in our bulletin No. 18 from 1870 to 1898, a period of twenty-eight years, showing that, so far as that class of labor is concerned, and for a few cities, the increase since 1870 has been about 10 per cent. It must not be applied to all the industries of the country, but only to what it professes; but, so far as I know, I am inclined to think that it is very nearly correct. There has been a constant decrease in wages for the last five years.

Q. Decrease?—A. Decrease since 1893; since the depression began; and in some trades there is going on a recuperation of that wage, but it has not been general yet. There has been an increase in many trades during the last two or three years, especially in productive employments, while skilled trades, like those applied to building, etc., have not yet felt that so much; so that while this shows only a 10 per cent increase since 1870, and a slight decrease since 1893 in productive industry, there has been more or less increase.

Q. Would this commission be warranted, on the basis of existing information, in making a positive statement in any report that there had been, on the whole, an increase of wages in ten years, as compared with twenty years?—A. I think so. I do not think that can be gainsaid at all.

Q. (By Mr. KEENEY.) Is it a fact that in the printing offices in the large cities, in the newspaper offices in Chicago, New York, Philadelphia, St. Louis, and other large cities that the scale of wages that is now in existence is the same scale that was in existence at the beginning of the late depression in 1893, and that there has been no change? If the scales have been maintained in all those places, do you know of any other reason to give for that than the fact that the printers in those places are thoroughly organized?—A. Those two things exist. Whether one is the cause of the other or not I can not say. The fact that the printers are thoroughly organized must be accepted as a powerful influence in keeping that scale

up. Whether it is the sole influence or not of course would be outside of any human wisdom to say.

Q. Those scales have been maintained?—A. They have been maintained.

Q. While in many other trades they have gone down?—A. While in other trades they have dropped; most of them, not all.

Q. I was going to ask you if you did not think that was a good argument for labor organization?—A. The experience of the typographical union everywhere is one of the strongest arguments which can generally be brought forward in favor of unions. Their management has been of such a character that it has stimulated others in the same direction, and not only that, but has removed a great many of the objections of employers themselves to unions. They are very glad always to have the cooperation of unions when they are conducted by men of sufficient business experience to understand the conditions of production. The same was true of the glass trade years ago. The experience of the glass-blowers' union and the manufacturers was practically that of the typographical union and the employers to-day. They got into difficulty by mismanagement, but that did not argue against the principle involved. Manufacturers were as glad to have the unions as the unions were to have organization. They repeated the experience of the English trade unions. It is largely a question of business conduct and management, and when the two see their interests—not to be identical, for I never have believed in the interests of labor and capital being identical, but reciprocal—when they understand that principle, the trade unions and the employers get on all right.

Q. (By Mr. RATCHFORD.) The statement made by the Colonel in reference to the advance of wages in the last twenty years has a general meaning; it is not true of all branches of trade?—A. Of course not. There have been ups and downs here and there; but you take the gross earnings of the country for the last twenty years, and there has been a marked increase, and there has been an increase in individual trades, too, except in cases where the industry has subsided or some local cause has interfered with it.

Q. (By Mr. NORTH.) As to (22) relative social condition of labor during the past fifty years, can you give the commission sources of information on that topic?—A. That follows (31) very well. It is a fairly logical conclusion that if wages increase, the social condition of the recipient increases. Of course you will meet with two statements on that (22). Statistics prove absolutely the improvement in the social and economic condition of the wage earner during the past twenty years. Philosophy, from a socialistic point of view, assumes the reverse of that; but I am in the habit of adhering to the statistical point of view, although that does not always show underlying conditions and the psychological conditions underlying an economic question. Why a thing is done does not conform very well to the statistical method. What is done is generally obtained in that way. My own observation and the result of inquiry and study is that, barring sporadic conditions here and there, the general condition of mankind improves slowly, gradually, but yet it is improved.

Q. Public education is a very large element?—A. All the things that we have. Q. Public libraries?—A. The opportunities for all sorts of things; what the Government does; what individuals do; the increased intelligence of all classes indicates that general improvement, whether you take twenty years or fifty. Of course it is more easily seen when you take a wider period for comparison, say fifty years. Sometimes you can see it in ten or twenty years, because industry may be depressed. There may be financial crises the result of which is depression, but when you take a period of fifty years I think it is susceptible of positive proof that the social conditions of not only what we popularly speak of as the working-man, but of every other man, have improved.

Q. Taking this part of the plan of inquiry only, have you any suggestions to make to the commission as to its modification, or change, or improvement?—A. No; only those you have made. I think it is a very comprehensive statement, and covers the study of the question very thoroughly.

NOTE.—The foregoing was all the testimony given by Mr. Wright on December 15, 1898. The examination was resumed at a meeting of the Industrial Commission in its offices, Washington, D.C., convened at 3 p.m., Friday, December 17, 1898, and the following is a report of such further examination.)

Chairman KYLE. I believe at the last meeting we had the pleasure of listening to Colonel Wright and his suggestions with reference to the topical plan of inquiry as shown in the schedule for manufactures. I understand that the first three topics were covered, namely, "Combinations of labor," "Strikes and lockouts," and "Wages and methods of payment." We have the pleasure of having him with us to-day again; and we will proceed from that point, namely, subhead "Employ-

ment." I presume we will follow the usual plan, the plan adopted at the last meeting, of throwing the burden of questioning upon the subcommission on manufactures. The chair will state before we begin that we can probably save a good deal of time in the consideration of these syllabi if we will limit ourselves, as far as possible, to interrogatories, and reserve discussions until a subsequent time, when Mr. Wright might appear before us a witness on some of these questions.

Mr. FARQUHAR. I will state it is evident that in "Employment," (36), (37), (38), and (39) are all cognates; then the question of apprenticeship; then (31) and (32) on hours of labor; then (34) on sweat shops, will probably be a natural division so that we can cover two or three questions in one. I take it that Colonel Wright would not like to give opinions here, and as the resolutions distinctly propose that Colonel Wright appear here and inform this commission as to the proper sources of information and guidance, proper books and reports that have been made by the Government on matters concerned in this schedule, I suggest that we limit all questions to reach this class of information, and in the future, when Colonel Wright may appear as a witness, to take up and discuss these various topics. To take up the first one: What sources of information can we find as to "increase or decrease in number employed in the several industries; excess of employees; the unemployed?"

Senator MALLORY. I understand Colonel Wright has read over these. It seems to me that the shortest and most effective way to proceed would be to ask Colonel Wright if he has read over these headings, and to take them up without any question at all, seriatim, and give us any observations that occur to him under these respective heads, and if there is no observation, there is no use to bother Colonel Wright with these questions.

Q. (By Mr. FARQUHAR.) I suggest that you look over the subdivision of "Employment." Take it by the subdivisions (24), (25), (26), etc., and give your opinions in regard to it.—A. Under "Employment," I would say, so far as (24) is concerned, that the information as to the increase or decrease in the number employed in the several industries can only be obtained from the census reports of the United States Government and State reports dealing with manufactures. From decade to decade this increase or decrease is very clearly stated in the various summaries of the Federal census, and especially for the States having bureaus you may be able to find information for intermediate years, and for the years since 1890. By "excess of employees" I take it the commission means the excess in industries, more being employed than the industry really calls for. I have been to considerable trouble to study that question, and the results of the studies are to be found in *The Forum* for November, 1897, and February, 1898.

That question involves a deeper one: As to whether the various industries of the country, or any of them, are overplanted; that is, whether their capacity for production is greater than the demand for their productions. That question also is discussed in the studies to which I referred. The number of unemployed can not be stated for any period in the history of the country with any certainty. The census of 1880 undertook to make the inquiry as to the number unemployed, the question being on the population schedule, and relating to every individual in the population. It was not tabulated, because General Walker found it so deficient that he did not think it was worth while to undertake it. In 1890 the question was again repeated, and the tabulation is found in the volumes on population of the Eleventh Census. There is no statement in the United States for the whole country since that. The difficulty then occurred that always occurs in trying to get at the number unemployed, that which relates to the employment which a person engages in when he is not employed at his usual occupation; but, nevertheless, the statement in the Eleventh Census gave an indication of the amount of nonemployment at the time of the census. Some States, through their bureaus of statistics of labor, have also gathered information relative to the unemployed. You will find reports of two or three commissions in several States, which have been created by legislative action on this question of the unemployed. You will appreciate at once, Mr. Chairman, the difficulty of ascertaining with any exactness the number of persons unemployed at any given time, or the number unemployed at that time in their usual occupations, who may be at work in something else temporarily; so that any figures relative to the unemployed must be taken with many grains of salt.

(25) "Effects of new and improved machinery on labor," has been discussed on both sides of that question by able writers. One of the most interesting and important books on that subject is by an English gentleman, Mr. John A. Hobson, being a study of machine production; and one by Mr. David A. Wells, entitled *Recent Economic Changes*. In the thirteenth annual report of the Department of Labor, which is now in the hands of the printer, the Department, in obedience

to a joint resolution of Congress, has examined very critically the effect of machinery on the time, labor, and money cost of production. We were able to find nearly 700 instances in which nearly correct comparisons could be made relative to hand and machinery production. This report will enable you to study (25) with the light of the very latest information that can be obtained. There are many articles in the magazines and reviews taking up the two sides of the question of the effects of improved machinery.

Under (26) "Effects of employment of women and children on themselves." You will find little direct information, because that is a moral question and hardly amenable to the statistical method. Nevertheless, through the English reports and our fourth and eleventh annual reports, you will find some facts which will be of great value to you in formulating conclusions, especially in relation to the effect of the employment of women and children on male employment. You will find there, and in general, in studying what facts are available on this subject, that the employment of women and children has not, as a rule, displaced male employment to any great degree, for it is learned that women are gradually taking the place of children, the number of children employed gradually decreasing, and that in some instances, like the laundry business, you will find that men are crowding women out. So that on the whole—balancing the business, without reference to individuals—you will find that the displacement of men by the employment of women is not alarming; and, again, that as men step up into higher employment of modern methods, like engineering enterprises, the establishment of railroads and the introduction of electricity, all of which have called into employment vast numbers of men without displacing anybody, but under circumstances where higher wages are paid, women have followed along behind them.

Under (27), the school age of children in the several States varies. It is safe, though, to say that the school age on the whole, or taking the average of the States, is from 5 to 20 years. Some States range from 6 to 18, some from 6 to 21, but on the whole 5 to 20 would be considered as a fair average statement of the school age in the different States.

Under (28) "Causes of irregularity of employment." I would refer you to our first annual report, which related to industrial depressions. It was impossible there, and it has been impossible since, to make a concrete statement as to any particular cause or a few of the causes which produce irregularity of employment. The causes are almost as numerous as the industries of the country, but, as a rule, if there can be any general statement made, you will find, on examining the information, that they are to be found in the results of financial crises, and competition between different countries, and the overplanting of industries; you will find another most interesting result from the studies of these questions, as shown in that report, and in the French reports relating to industrial depressions, which are of very great value—that each of the great countries given to mechanical production, United States, Great Britain, France, Belgium, and Germany, and now Austria, and, in a certain sense, Italy (and Russia is coming into many, and that each has striven to produce all it wants itself, and has succeeded the circle), that each is reaching out for a foreign market for its surplus. That state of affairs in the industrial world must be considered as the chief cause of irregularity of employment, if any one cause can be called the chief. But the study of it you will find aided by the documents and works already in existence, and for which I will give you specific references.

The "average days employed in the year," is fully stated in the Eleventh Census for that year, and in subsequent reports of the different States to a certain extent, and you will find that they range in different industries from 250 to 292, with the general average of about 288 or 292. That question is very fully discussed and analyzed in the articles in *The Forum*, to which I have called attention.

Under (30), relating to apprenticeship, I would refer you to our second special report, which contains a very complete compilation of all the labor laws of the different States and of the United States, and in one of the editions a general statement of the apprenticeship laws; and you will find that the whole question of apprenticeship is one which is being relegated to the past, and that other methods of teaching men skilled trades are taking the place of the old-fashioned apprenticeship. You will also find, in the discussion of the subject in some of our reports on labor and economics, that the apprenticeship system has been outgrown works on labor, and economics, that the apprenticeship system has been outgrown on account of its being in a certain sense a robbery of the apprentice; that is, he is kept at apprenticeship wages long after he is a skilled laborer, which under modern methods does not occur. The regulations of the different States are contained in the volumes to which I have called attention.

Under "Hours of labor," you will find they range from 56 per week in New Jersey to 62 and 65 in some of the Southern States. They vary in the

several States as I have stated, but in hardly any State is there direct provision that a certain number of hours shall constitute a day's work, except in this respect—that when any contract is made providing for a day's work, without specifying the number of hours, a certain number of hours shall be construed as a day's labor. This varies from 8 to 10. In the Eastern States 58 hours a week constitutes the usual working time in the manufacturing industries, while in New Jersey it is 56, and in some of the Southern States, where there is no law, they work 60 to 62 or 63 hours a week, but are gradually, or perhaps rapidly, coming to the 60-hours-a-week basis. You will also find that the hours of labor have been regulated by custom and by economic conditions before the law stepped in to make any emphatic declaration, as a rule. In some States there are laws regulating Sunday labor, and they are being universally applied to industries or callings which do not affect production. There is hardly any Sunday labor in the United States in the productive industries; it is mostly found in what we call personal service—domestic service, barber shops, and such matters, where the service is rendered to an individual in a personal way, not in the way of production. This question has been quite fully discussed in some of the State labor reports, and the facts given both for productive industries and personal service. There is also a compilation bringing these facts together, by Mr. Crafts, who is at the head of the bureau called the "Bureau of Reform," I think in this city. In some of the economic works, especially those of Mr. Gunton, of New York, you will find the question under (33) pretty fully discussed as to the arguments for and against a shorter workday. There are advocates for and against shortening a day's work, but I believe it is the general conclusion of all that as machinery is more and more applied, the length of the day must, as a matter of economy and physical necessity, be shortened. I think there is no very general opposition to that view, especially on the part of economists.

Under (34), relating to sweat shops, you will find that in England and in this country the subject has been pretty well discussed and the facts collected, and that so far the methods of factory inspection, as they exist in England and in this country, wherever there are boards of factory inspectors, extending the factory law to the home manufacturer of goods, especially as to clothing (what is popularly known as the "sweating system" of production), have, in a very large degree, lessened the evils which grow out of the sweat-shop system. A sweat shop is a little difficult to define; but in general terms it means where a man takes a subcontract and then sublets again to somebody who is obliged, in order to make a margin between his contract and the other man's contract, to employ the cheapest kind of labor and thus recoup himself. He therefore crowds people into small rooms, and there they labor. They are usually the cheapest class of working people in the great cities, and this particular system is found more largely in the clothing trade than anywhere else; but, curiously enough, not in the manufacture of the lowest grades of clothing. You will find in Chicago and Philadelphia, and other large cities where the sweat shops exist, that the sweaters are at work often on the best class of clothing, sold as the highest grade.

Q. (By Chairman KYLE.) The question is arising in the minds of some as to how far we should go into this subject as a commission. Do you not think that is a proper question for investigation by this commission?—A. If there is anything which you can recommend in the way of legislation anywhere along the lines of the various syllabi, I should say it relates to the reform of the sweat-shop system, because it is one of those systems of the labor problem which can be reached by law. The extension of the factory-inspection laws to include the sweat shops is probably the chief cure for that evil. There are not many laws now in this country making this application of the factory-inspection regulations. They exist in New York, Massachusetts, and, maybe, in Illinois and some other States. Certain laws which were intended to take cognizance of that particular feature of production, so far as hours of labor were concerned, were declared by the supreme court of Illinois to be unconstitutional. Whether the laws could be unified throughout the country depends, of course, upon State action, but certainly there is a very prolific field for recommendation along very practical lines. The information as to the extent and evils of sweat shops can be obtained from the different State reports, especially for New York, Massachusetts, Illinois, and perhaps some others, and from some of the bulletins of our own Department.

In "Cooperation, premium payments, profit sharing, etc.," you will find a body of information which will be ample for the work of the commission. I should say, and especially in the work published by Mr. N. P. Gilman, in which he has brought into small compass the conditions as to the various experiments relative to profit sharing that have occurred in the old country and in this. Cooperation is more generally discussed in English works than in American, because there is



little or no cooperation in America. That has never been successful on a large scale. Cooperation in England, as it is called, is not cooperation. The great cooperation stores, both retail and wholesale, which are doing a vast business, having their branches in all countries of the world, owning their own ships and all that, are plans for the distribution of goods, and can not be called practical cooperation. Growing out of those experiments there is a certain amount of practical cooperation in production, and the reports of the cooperative congress, files of which you can easily secure, will give you all the information you desire relative to cooperation in England. There are private works also on the subject, although there are very few in this country. A few months ago the Department of Labor published an account of the principal experiments as they now are being carried on in this country, and the information can be easily laid before you. There are other plans than profit sharing and cooperation, especially those called industrial copartnership. They are in practice and in all essentials profit-sharing experiments, only the promoters prefer the title of industrial copartnership to profit sharing, and the features of the contracts under which they are carried out are varied to some extent.

Q. (By Senator MALLORY.) Is that in the United States?—A. United States, and in England, too.

Q. (By Mr. FARQUHAR.) Would you suggest that the term "industrial copartnership" be added to the title?—A. I think I would. I think you could interest some parties by that. There is a work which you want, which discusses the copartnership, so far as it can be discussed, and it is a very interesting work, by Henry D. Lloyd, entitled "Labor Copartnership." It is just out.

The old-age and service pensions, industrial insurance and State insurance, are largely German methods, and the information is very full and complete on that subject, and will be found in one of the special reports of our Department and in English and American works of recent date comprehending the facts of the experiments or the experience of Germany down to the present year, so that you will have no difficulty whatever in getting at that subject. The subject of industrial insurance is another matter and hardly belongs here. Industrial insurance means the insurance of children by their parents, so that in case of death they shall have a sufficient amount of money for a decent and respectable burial. That is what is meant by "industrial insurance."

Q. (By Senator DANIEL.) Industrial insurance was supposed to apply to those cases where people of modest means provided for burials and things of that sort?—A. Yes; industrial insurance belongs to that topic. It is a subject of life insurance. It is an exceedingly interesting subject and has been fully discussed lately in a few articles and books, so that you can get at it if you wish. It bears upon the condition of laboring people the same as life insurance does. I understand by "industrial insurance" the insurance of children.

State insurance means what we have been talking about in the way of old-age and service pensions, and insurance by the State against accidents, as conducted in Germany, I suppose, and the works to which I have referred will give you full information on that subject.

Under "Immigration and Emigration," as a basic work, I would suggest a publication entitled Immigration and Emigration, by Professor Mayo-Smith, of Columbia University, New York. On the particular features of immigration you will find most of the information in the Reports of the Bureau of Statistics of the Treasury Department, and now of the Commissioner-General of Immigration, of the same Department. I know of no statistical information that will help you in discussing the effect of immigration or of education on wages or on the morale of the people. Those are features that belong to the realm of deduction, because it is difficult to tell what would have happened if something else had not occurred, and the statistical method fails when you undertake to explain what wages would have obtained if there had not been any immigration. It is a subtle question on which minds differ and on which information is almost lacking.

Q. (By Senator MALLORY.) Are there any figures or statistics to show to what extent immigrants come to this country and go into the various employments?—A. The facts as to distribution of foreign elements among our industries is clearly laid out in some articles, to which I will refer the Commission. I know of no official document that gives that calculation, but it is easily made. I think in a special report in the Eleventh Census, on occupations, that question was touched, but the percentage of the foreign born which enters into each of our great branches of industry, like agriculture, manufactures, etc., can be easily stated, so you can see the effect of immigration so far as the distribution is concerned. It is not very satisfactory, yet it is indicative. The census classification is much more satisfactory, because it takes up the living foreign born, and not those who have

come in at different times. I will give you all the references possible on that subject.

Under (38) "Suggestions for the regulation of immigration," the Treasury Department has offered various suggestions at different times, and committees of both Houses of Congress have a vast amount of information on that subject. It is hardly one that relates to the collection of information, except in an indirect way. "Colored labor" has been classified by Mr. Henry Gammett in the brochure he prepared for the Slater Fund trustees, and can be obtained of Dr. J. S. M. Curry, of this city. The amount of colored labor, however, is not ascertainable in a very direct way. You will find in studying that subject that the Commission might make some original inquiries, perhaps, that will be of great service. You will find that the colored labor of the South is being brought into mechanical industry to a certain extent, and the effects of it can best be ascertained by an examination of manufactures in the Southern States. In the North there is a constant movement out of certain kinds of industries by colored men, especially in what you might call the border States of the colored question, like Pennsylvania. What causes this movement out of certain industries is difficult to ascertain. It is nevertheless true that in many branches which they occupied formerly, in a city like Philadelphia, they are rarely found now—no great number.

The subheads (41) "Sufficiency of public-school facilities" and (42) "Suitability of public-school instruction to needs of working people" are questions for discussion, and the Commissioner of Education can give you more information than I. I shall be obliged to refer you to his reports. They are very full, showing the extent of educational capacities in the various States, and the number of children of school age that are not accommodated by school facilities.

In regard to (43) "Suitability of public-school instruction to needs of working people," I think I have found in our eighth annual report the information required under special instruction of Congress on industrial education. It was a canvass of the subject, both at home and abroad, showing the extent to which manual training and other industrial teaching had been introduced into the public schools. It also took up the whole subject indicated by (43) "Trade schools; technical education." Taking that volume, in connection with the reports of the Bureau of Education, and two or three standard works by educators in industrial lines, like those of Mr. Charles H. Hamm, and Professor Woodward, of St. Louis, who is at the head of the manual training school of Washington University, you will be able to put your hands at once upon all the available information which you will need. The question of trade schools, in their influence upon the apprenticeship system, and of teaching boys special skilled trades, is a two-sided one, perhaps. The trade schools that have been organized in this country, while few in number, and almost entirely confined to New York and Philadelphia, have been successful and have helped many a boy to good wages. Trade schools abroad, however, you will find are far more numerous than in this country, and more generally patronized, and especially in some of the continental countries, by the governments themselves. All this matter, however, is laid out in the report to which I referred you.

Q. (By Mr. KENNEDY.) Mr. Chairman, I should like to ask Colonel Wright a question in regard to this subdivision (38). Recent attempts to amend the immigration laws have failed, and I think there is an impression out that the influences which have defeated those attempts are the German steamship lines. Do you think we might get information on this head in regard to that matter that would be of value to the country—enlighten the country as to the influences that defeat proposed immigration laws?—A. I think you will find ample information through the office of the Commissioner-General of Immigration in the Treasury Department, and from the immigration officers at great ports. They, I believe, have been very close students, so far as their official duties have allowed, of this question of steamship influence in securing patronage for their various lines. I have felt for many years, personally, that it was just there that the chief difficulty lay, and that with the regulation of steamship lines many of the attempts to regulate immigration would be accomplished. You will find that all through eastern Europe, at the present day and for the last five or ten years, the steamship companies have their agents drumming up passengers, and that when you can bring a passenger from northern Italy to Chicago for the same amount that the chief difficulty cost one of us to go from New York to Chicago, the influence of the lines becomes very emphatically expressed. I do not remember any attempt in the way of proposed legislation to meet that point, although I think it was discussed fully in the Senate in the Fifty-fourth Congress.

Q. (By Chairman KYLE.) Do you regard the report of the Immigration Commission of 1888 or 1889 as being full and comprehensive?—A. I think that was a very excellent report.

Q. And the minority report published at the same time—does not that cover the point raised by Mr. Kennedy?—A. I think it does. All the attempts up to the present time to regulate immigration have not succeeded in keeping out a sufficient number of immigrants to pay for the attempt, except so far as defective classes are concerned. It is a pretty far-reaching question, but there is information enough on it to satisfy the Commission.

Mr. RATCHFORD. I wish to offer a suggestion. Mr. Chairman, at this point, before we pass over the question of education: The idea is conveyed to my mind that the Commission endeavors to find what the advantages of education for the working people are in different industrial centers. Our topics are confined to public schools and trade schools. The idea suggests itself to me that it would be well to amend that part of our plan of inquiry by adding another topic, and making it read "Public libraries or reading rooms." That is a facility of education, and a facility which the working people in many instances, to my personal knowledge, avail themselves of very largely. Young men who are obliged to work during the day, and who are anxious to acquire an education, will attend these libraries or reading rooms in the evenings. I believe it will be a question of importance to the Commission to ascertain about how much these institutions are patronized and how generally they are used.

Colonel WRIGHT. I was going to suggest that manual training be inserted, which will cover all the rest; because a trade school—a technical education—the work of trade schools and technical education does not apply to manual training. Manual training is carried on in the public schools with the view to familiarizing young people with the use of tools without any particular product.

Q. (By Mr. RATCHFORD.) Will that cover the point?—A. You will find the information relative to public libraries and reading rooms in some degree in the reports of the Commissioner of Education, and for certain States you will find them discussed in the local reports.

Q. (By Mr. FARGUE.) I would like to inquire: Would it not be well to add to this "Public libraries, reading rooms, and lyceums?" Then you have all the mechanical exercises.—A. It would make that topic all the more comprehensive. I made a report some years ago on that very subject—how far libraries, reading rooms, lyceums, and concerts were used. Manual training applies to the public-school system everywhere, and many things are taught in them, so that when a young person comes out of school he will not be entirely ignorant of common matters.

Under "Convict labor" you will find a great deal of information already in existence, and perhaps all you will need. Our second annual report, which was made in accordance with a resolution of Congress, relates to that subject entirely, and gives a description of all the systems in vogue, the amount of product under prison labor in the whole country, and gives the laws and customs of different countries regulating the labor of convicts. Later on we published, last year, I think, a supplemental statement as to the amount of production and labor in the different prisons in the country. You will find the most suggestive studies, however, at the present time, in the reports of the prison commission of the State of New York. That State has adopted a method which is under experiment now, by which the things which are needed in all of the State institutions, like asylums, hospitals, and everything that the State controls, are manufactured in the prisons, thus avoiding influence whatever upon price either of labor or commodity. That question is discussed by the State commission, and other States are now looking to the adoption of that system. I think you will find all the information you desire on that subject.

Chairman KYLE. We will now take up "Part II."

Colonel WRIGHT. The "Comparative earnings of capital invested in manufacturing" can not be very easily ascertained. Certain suggestive things, however, are obtainable from the statistics that are in existence, but they are so crude in themselves that they lead more to discussion than to conclusions. It is, I believe, thoroughly understood at the present time that there is a law to be deduced from the conditions of capital, something as follows: That it requires more capital to produce a given quantity of product than formerly; that the margin of profit decreases; that the price of the product decreases; that the cost increases; that the quantity increases, and the wage earnings increase. I think this law has been pretty thoroughly established, although it can not be demonstrated in every particular.

I think here is a good place to speak of the difficulties you will meet with in the use of census statistics on production. I know of no better place in this syllabus to call attention to the defects in that respect. The capital invested in manufacturing has never been ascertained yet. The statistics furnished by the Federal

census are indicative only, although they are the best we have. Some economists take the ground that "capital invested" means one thing, and others that it means another, while manufacturers themselves adopt the bookkeeping principle that "capital" means everything that is necessary to produce a given quantity of goods. That is the census understanding of "capital." Then the difficulty comes in as to how far "credit capital" shall be included in the statement of capital invested, and there is such a wide variation of terms that any attempt to arrive at proportions or ratios of capital to product, or of capital to wage, usually leads people into more difficulty than that which they labored under before they began.

There is another feature in manufacturing statistics which throws almost every calculation out of equilibrium, and that is the constant duplications in the statement of total product. We say there are so many billion dollars' worth of product. That product comprehends all the elements of production, the cost of the material, the aggregate of wages paid, which is usually a very exact statement, and the miscellaneous expenses. Now, the raw material used in many instances by one manufacturer is simply the completed product of another manufacturer which has been accounted for in his product. As an accurate and simple illustration, the manufacturer of tables like this would give you the total value of his product of tables and of the manufacturer of brass ware has given the total value of his product in brass ware, and the manufacturer of locks has given the total value of locks, and the manufacturer of lumber has given all the value of his product, and the manufacturer of cloth has given all the value of his product in cloth. So that everything that enters into the construction of this table has been repeated by every manufacturer of that individual kind, and there may be 5, 10, or 100 repetitions of the value of products in the raw material which enters into it. So, too, all the elements of which this table is composed, may have been produced last year, and enter into the product of the table manufacturer of this year. Taking all these elements in the manufacturing statistics, you at once see the difficulty of ascertaining the true relation, the economic relation of capital to product; and yet, as a general statement, these duplications occur at each decade. The total value of the products at the works, as given by the census, is a very fair indication of the progress of the manufacturing industries, and that is its chief value. So, to answer this question (47) "comparative earnings of capital at present and ten and twenty years ago," you would be obliged to secure your information from manufacturers themselves, who are willing to state just what their earnings were at different periods on the capital which they had, and this would be true of (48) also. I know of no body of existing statistics, or statistics that it would be possible to obtain, that would clearly outline the profits of production. I have attempted it and other statisticians have attempted it, and when we have gotten through we have generally been more dissatisfied with the results than any of our critics. It is a very complicated question, and you see from the statement I made about the duplication of things, that at the present time it is almost an impossible thing to secure—and no statistician has yet been ingenious enough to invent a method which would enable the Government to ascertain the exact amount of production, at any given period, of the manufacturing industries.

Q. (By Mr. FARGUE.) Would it not be better to make this comparison—instead of ten and twenty years, why not take in the time of two generations?—A. If you start with 1850 you may accomplish something.

Q. Since 1850, by each decade, that would cover the census idea by making it "decade."—A. Of course the decade division is unsatisfactory, because the condition of industry at one decade may be depressed, and at another at its very height of prosperity, and the comparison is then worthless. Why not make a whole range, without limitation, "during the past forty years," for instance? Why not say "comparative earnings of capital invested in manufacturing," and then say "during the past forty years?"

Q. (By Mr. RATCHFORD.) Would it not be well to consider the disadvantage which we are going to place ourselves under and those from whom we seek the information? I am in favor of any topic that will be productive of the greatest information, but I can readily understand where we are going to be at a disadvantage in endeavoring to extract information from one generation of the business of a preceding generation.—A. You will find in the older parts of the country a large number of firms and companies that have been in the business of manufacturing certain lines of goods consecutively for forty or fifty years, and their books are available. That information you can get from individuals, and I can give you the names of firms of individuals who have been in business for a long time, and that will give it to you; and the same information would cover (48) also.

(48) Effects of restrictive and other industrial legislation on the capital employed in the several industries and in the several States. It would be difficult for you to get information on that. You will get many opinions, but how it can be answered statistically, I should say, would be a question. It is a part of the previous question. "Effects of immigration in the several industries," because if immigration has affected an industry any legislation which is restrictive may have also affected it; but I suppose this applies more especially to what we know as labor laws generally, restrictive and other industrial legislation, limiting the hours of labor, providing for the inspection of factories, etc. Committee reports of bureaus and legislatures in different States have undertaken to discuss that question, both for and against, but so far as I know there can not be found a single instance in this country of capital going out of one State into another on account of such legislation. They talk about it a good deal, but I do not know of a single instance where capital has been invested in one State on account of the labor legislation of another. Of course the recent agitation of the question of transferring the manufacture of textiles from New England to the South is one in point, but I notice the great concerns in the East who have built factories in the South still keep their factories in the North just the same, but they have gone South because they were nearer the base of supplies. You will find, in a report of a committee of the Massachusetts legislature of a year ago, a very instructive discussion of this particular feature of this topic. I do not know of anybody of information, however, to which you can turn for a settlement of the question. I should think it is one for direct inquiry by the commission, and that also applies to the subhead (51) "Taxation of manufacturing and mercantile establishments." Some States have undertaken to relieve manufacturing establishments from tax, but as a rule such laws passed by the legislature have been considered unconstitutional, because they favor one class of the community as against another in the amount of taxation to be assessed on their several properties. This question, you will find, has been very carefully and very fully discussed in a recent report in the State of Pennsylvania, by its commission on taxation, and also by two or three like commissions in some of the Northern States, especially Massachusetts, and I think there are reports of similar boards in other States; but these reports generally refer to what has been done in other States, so that by getting the documents from Pennsylvania from the secretary of state, and from the secretary of state of Massachusetts, you will find this subject of taxation of manufacturing and mercantile establishments pretty fully covered.

Q. (By Mr. FARQUHAR.) Is it your opinion that Prof. R. T. Ely's work on taxation would be instructive on this matter?—A. I think it would. There are other works on taxation, and especially one just coming out, by Mr. Wells. It appeared in monthly installments in the *Popular Science Monthly*, and was completed before he died, a few weeks ago, and is to be brought out (or may already be on the shelves) in book form. It discusses all kinds of tax legislation. It is an exceedingly valuable work on this question.

(52) "The migration of industries from and to localities," etc.: Industries do not migrate very much. They stay where they start, as a rule, and if the causes of migration are ascertained, they are generally to be found to relate to the supply of raw material. I do not know of anybody of information under (52).

Q. (By Senator MALLORY.) Have you had any occasion to encounter the question of the effect of bonuses and privileges in the effect of taxation as inducements for the establishment of manufacturing enterprises?—A. They have been granted here and there.

Q. Sites for building purposes, rights of way, and things of that kind?—A. They have been granted, and especially in the early history of the country, and in some of the economic works they are referred to, especially in industrial histories, and there is something of that kind going on now here and there in newer parts of the country—unsettled parts. Manufacturers sometimes take advantage of them, but I believe they have not, as a rule; that wherever they are offered they do not overcome the disadvantages which would occur by moving to the favored locality.

Q. It is not a matter of any great importance?—A. Not the slightest. It has no effect in the economic condition of production to-day.

"The present conditions of manufacturing" practically comes under the information which you will get from individuals. Under (53), "Concentration and consolidation (I suppose that means trusts in production); its effects on prices and profits, on wages and employment, on smaller enterprises, on business competition, on production," the only information available is in two or three works, notably one by Henry D. Lloyd, a most valuable contribution to the trust question, entitled *Wealth and Commonweal*; and another by a foreign political economist, Dr. Von Halle, who came to this country and made a study of the

trust question, a small book and easily obtained; and in reports of State committees, which have made reports upon the effect of consolidations upon the prices of commodities, the employment of operatives, and the wages paid. They are not very conclusive, nevertheless they are indicative of the general trend of things.

Under (54), "The legal regulation of trusts," that is a question I am not able to discuss. I believe it has evaded the ingenuity of legislators so far, and that the antitrust laws which are already on the statute books, of whatever States, amount to but little. It is a pretty difficult question to study. There are two sides of the trust question from an economic point of view, and even from a sociological point of view, all of which should be considered in discussing the trust question. To get at the philosophical side of the trust question, I do not know of any better authority than Mr. Gunton, of New York. You will get the two sides of the trust question as well as they can be covered.

Under "Producing capacity of modern machinery," the report now in the hands of the Public Printer, to which I called your attention, will answer the question as to the producing capacity in various industries. You will have to jump to a conclusion when you discuss that question in relation to "consumption and existing markets." On one side you will find the producing capacity of machines, and on the other you will find greatly increased consumption, and one has to decide whether one is the cause of the other, or vice versa. It is one of those old economic whirligigs that economists like to turn around in. One makes the cause the effect, and the other, in order to right something, makes the effect the cause. "The productive capacity of latest machinery" you will easily find in this report well stated, because we give the years when the comparison was made as to hand and labor production. The question (58) as to "Overproduction and underconsumption" is another of those economic whirligigs under which a man can discuss himself around and around and not get anywhere. "Underconsumption" has always been a more attractive term to me, because when the consuming power of the people is brought up to a certain grade there can be no general overproduction in the world. That is the economic position. But here and there in the world there is what can be called overproduction, because locally more goods are produced than can be sold under certain local conditions. Of course, if, under (59), foreign markets can be obtained by which a surplus existing at any particular time can be sold, that avoids the whole difficulty. But it is a pretty vast question when every country in the world, as I said a little while ago, is trying to do that same thing.

Q. (By Representative OTJEN.) Is it true that in hard times the consumption per capita is less than during prosperous times?—A. I think so. In fact, I have, of late years, come to the belief that an industrial depression is more of a mental and moral thing than anything else. During the late depression of 1893 I satisfied myself by inquiry and investigation that even in the worst period of that depression the business of the country was within 10 per cent of what it was in the best times. It never exceeds that. Prices go down as soon as people begin to see trouble ahead, and they shorten their expenses, then an industrial depression is sure to follow. The output per capita, or the consumption per capita, is, of course, less to a small degree in hard times than during good times. But there is usually more money saved in hard times than in good times.

Q. Is that true in the consumption of food products?—A. There is a change, in the period of depression, of consumption of one grade of goods to another; in quantity there is not much depression, but in quality there is. A man, shortened in his earnings, will shift his food from a more expensive to a less expensive kind and eat simpler things. There are two sides to the depression question.

Q. (By Mr. PHILLIPS.) Won't we find it difficult, in the line of investigation we are instituting now about trusts, compared with the products of establishments that went into them some years ago, unless we find along by these trusts other manufacturing establishments which were permitted to live and manufacture?—A. There would be great difficulty in that line.

Q. For instance, the oil industry, which is the father of all trusts, comparatively. While they are manufacturing cheaper, yet it has been ascertained that wherever a manufacturing establishment can start up and be permitted to market its goods they can get a large profit, and are able to do it; and even where they handle their goods abroad they are making a very large profit, and yet pay a larger price than the Standard pays for the crude in this country.—A. The investigation would have to be applied only to recent organizations where we could get at the books that were used in the old organizations. An investigation covering twenty years ago would be practically useless.

Under "Part III," industrial and remedial legislation, I would suggest, Mr. Chairman, that the commission will find ample information and a great array of facts in the annual reports of the factory inspectors of those States that have

erected them, especially in New York, New Jersey, Michigan, Minnesota, Pennsylvania, Illinois, Ohio, Massachusetts, and Rhode Island. They take up nearly every question that is mooted under "Part III," while for employers' liability laws, their effects, the reasons for their existence, and their history you will find in works especially devoted to the discussion, and in the report of our Department on Railroad Labor—our fifth annual—which takes up the question of employers' liability, which started in England in 1880. It is a modern question and an exceedingly interesting one, under the old maxim that the acts of the agent are the acts of the principal. Reversing that doctrine, when applied to modern industry in great establishments, these laws have been fairly successful in protecting labor in great factories and on railroads, and the objections to them which were brought up when they first discussed the matter here, as in England, have been largely withdrawn. You will find the whole matter, however, all the information you desire, in works which I will cite for you. These works will take up everything except No. 69, "Suggestions for remedial legislation," both national and State, which, I suppose, is the crucial work of the commission after it has studied these other things. These are matters for opinion on which various witnesses will be examined.

Q. (By Mr. FARQUHAR.) In your volume on labor laws in the United States, revised in 1896 and supplemented by bulletins—would these books furnish the commission with all the knowledge they would need with respect to the legislation needed in this country, State, and nation?—A. I do not see how you could get any more. It is all in there. And in Bulletin 19 you will find a topical index of the labor laws which have been passed since the revision of 1896, by page. I will furnish the commission with the present volume of the bulletin, in bound condition, so you will have all the labor laws of the different States of the Union with the index to them in proper order.

Q. (By Mr. KENNEDY.) Have you anything in your Department, printed, which shows which of those laws have been declared unconstitutional by the State courts?—A. The second special is annotated in reference to the court decisions declaring them unconstitutional, and in the bulletins all the decisions since the second special which invalidate any laws are indexed.

Q. (By Mr. FARQUHAR.) Are any of those who made the codification of laws published by your Bureau still in the employ of your Bureau?—A. Yes, two very expert gentlemen, and they watch the legislation of the country and the decisions of the courts relative to labor matters. They are lawyers by profession. Mr. Victor H. Olmsted is one, and Mr. S. D. Fessenden is the other, Mr. Fessenden having charge of the work.

WASHINGTON, March 8, 1899.

#### TESTIMONY OF MR. DANIEL O'LEARY,

Chief Factory Inspector of the State of New York.

The commission met at 11 a. m., March 8, 1899, Vice-Chairman Phillips presided and introduced Mr. Daniel O'Leary, chief factory inspector of the State of New York since May 1, 1896. The syllabus on conditions of labor and capital employed in manufacturing and general business was taken up.

Q. (By Mr. FARQUHAR.) Please state of what your official corps consists.—A. I have 36 deputy inspectors, of which number 9 are women; the chief and assistant of the department, making a total inspection force of 38 people. We have a clerical force of 8 people.

Q. In what year was the present inspection system instituted in the State of New York?—A. In the year 1886.

Q. Have you at the present time enough officers to see to the execution of the laws?—A. No.

Q. What causes the failure to have the requisite number?—A. I presume it is due to the fact that the legislature is loath to concede an increase in the force of inspectors.

Q. On account of the expense?—A. That, of course, would have some bearing on the matter. Perhaps it may be well to state that there is no revenue derived by the State from the department; everything done by it is an expense.

Q. What is the cost of the whole inspection system of the State of New York?—A. The appropriation last year for the maintenance of the department was \$80,000.

Q. Was that to cover clerical help and the inspection?—A. That sum was for the entire expenses of the department.

Q. Did you expend all of the money?—A. Yes; and exceeded that amount by about \$300.

Q. Does the extra help you desire in the inspection system in the State of New York come under the new laws that have been made, and modifications of old laws, for more thorough inspection?—A. Yes; very largely so.

Q. How much extra help would be desirable?—A. The present force of thirty-six inspectors made, last year, a total of 37,249 inspections, investigations, etc. I calculate that that is a pretty thorough covering of the manufacturing, mining, and bake-shop interests in the whole State which we have to deal with. The difficulty that we can not reach the same institution a second time in the same year. We have sent the inspector back a second time to the same place, but only on complaint.

Q. In that case are you able to follow up immediately the infraction of any of the inspection laws?—A. So far as infractions are concerned, my experience is that, outside of bake-shop inspections (what is commonly called sweating work) and mining, I do not find any necessity for harassing, as I would term it, the manufacturer by repeated visits, monthly or semi-monthly, or anything like that; but changes in manufacturing are constantly going on, and for that reason alone a second inspection of the same plant should be made in the same year.

Q. (By Mr. NORTH.) Would that nearly double the cost?—A. It would largely increase it.

Q. Where is your office?—A. In Albany.

Q. Have you a New York office?—A. Yes.

Q. Is a deputy in charge of it?—A. The assistant is in charge of that office.

Q. Is most of your work done from that office?—A. No; it is only a branch office. The principal work is done from the Albany or main office.

Q. Have you any other branch office?—A. No.

Q. (By Mr. FARQUHAR.) How frequently do your inspectors report to the headquarters in Albany?—A. They make weekly reports.

Q. Have you had any experience with strikes?—A. No; no intimate touch with strikes.

Q. In the State of New York is there an arbitration board separate from your bureau?—A. Yes.

Q. Have you anything to present to the commission on the matter of weekly, semi-monthly, or monthly payments of wages?—A. The question of the weekly payment of wages is comprised in a law which is directly under the control of the factory department of New York State for enforcement.

Q. Is it the law in the State of New York to have cash payments?—A. Yes.

Q. You allow no scrip or store orders?—A. No.

Q. Is it not a fact that by the New York law, if the joint-stock associations, or even individuals, do not pay the wages of employees in cash weekly, semi-monthly, or monthly, it is made a misdemeanor?—A. Yes; where the company is incorporated.

Q. Are those violating the law liable to a fine of \$25 or \$50 in each case?—A. Yes.

Q. What is the general opinion with respect to the stringency of this law?—A. My experience is that the law works smoothly and well, and has not met with any serious opposition. The law which I hand you is the perfected law of 1897.

The law prior to that year was defective in some respects and consequently was difficult to enforce. This one is not. As an indication of the working of the law, last year we received 34 complaints, and investigated all of them, and only 10 were sustained. You will understand by that that many complaints are made against individuals or firms that are not subject to the provisions of the law—not being incorporated. That would make the difference. We can only touch the incorporated companies.

Q. Was the original intention of the law to touch only the corporations?—A. Yes; and the present law so states.

Q. Does the law really work smoothly?—A. Yes. The actual facts in relation to the prosecutions are that I have had none, and I was only required to go to the length of notifying the district attorney in two cases.

Q. Is the matter of store orders wiped out by this law?—A. Yes; we suffer from no such abuse in our State.

Q. What have you to say on the factory tenements in the State of New York?—A. We have many of them, particularly in the cities of New York and Brooklyn. Outside of those places we experience no trouble in that line, but the factory inspection department, or, in fact, any other department, outside of the board

of health, is positively prohibited from interfering with any work as conducted in the home. Section 100 of the factory law regulates, or assumes to regulate, the manufacture of certain articles specified in the statute, but it exempts the immediate members of the family. We have no power to interfere with the house workers, except where persons not immediate members of the family are employed to work in living rooms with the family. The law says that no room or apartment in a tenement or dwelling house shall be used, except by the immediate members of the family living therein, for the manufacture of coats, vests, trousers, knee pants, overalls, cloaks, hats, etc., and it takes in everything in the way of wearing apparel, feathers, artificial flowers, cigars, and cigarettes.

Q. (By Mr. NORTH.) Is that the sweat-shop act?—A. Yes.

Q. (By Mr. FARQUHAR.) Can they employ others than those in the family in the workshops in the rear of tenement houses?—A. Yes; but they have to secure a permit from the department for that purpose.

Q. (By Mr. NORTH.) Is it the Massachusetts system?—A. Not exactly.

Q. (By Mr. FARQUHAR.) Is that permit issued by your board of inspection?—A. By the factory inspection department only.

Q. Can goods from the wholesale manufacturing houses be brought into these places of manufacture, whether in the dwelling or in the rear building, without passing inspection, and have you any means of tracing them?—A. We have no means of tracing the goods that go into the dwelling or tenement house.

Q. Is that an exception you can not get over?—A. That is an exception you can not get over. It is an exception made by the law itself, and also by the decisions of the court of appeals of our State; but goods going into the rear shop where we give a permit and where we have jurisdiction of course we can follow.

Q. Is there any mark attached to the goods of this kind, that are manufactured in places other than the dwelling houses?—A. No.

Q. Have you any statement to make on the question of changes that you think necessary in the inspection of this class of manufacturing?—A. There is a bill now before the legislature, which I prepared with the assistance of the statutory revision commission, that is calculated to remedy the defects in the present law. It is a combination of the Massachusetts sweating law and the New York sweating law. It has the specific features in our own law and the license feature of the Massachusetts law. Its purpose is to give the department absolute control of the making of those articles, whether in a tenement or dwelling house or otherwise; to prohibit their manufacture except as permitted under the license granted by the department for that purpose. It specifies that no person shall give goods to any family or member of a family, or to any person using the rear shop for manufacturing, unless they can produce the license issued by the factory inspector. It also provides that such license shall not be granted by the factory inspector until an examination or inspection of the premises is made, and such inspection will not be made until application has been made to the factory inspector by the person desiring to obtain the license, and that application must state the location, street, and number, size of the room or rooms to be used, and the number of persons to be employed in them. It regulates the air space and the light and ventilation.

Q. (By Mr. NORTH.) Do you anticipate the passage of that bill?—A. Yes; it has the approval of Governor Roosevelt, and I have no doubt that it will become a law. Probably it would be well to state that the idea of this law came from conferences held between the heads of the various departments who met at our international factory inspectors' conventions, and the principle underlying the proposition was to frame a uniform law in all the States where the sweating work is carried on to any extent, and in that way to get a law so framed that there would be constant touch between the various factory departments in the various States where this class of work is being done. For instance, under the Massachusetts law this feature appears, and will appear in our law when it is passed: Whenever it is reported to the inspector or to the State board of health, or either of them, that ready-made coats, vests, trousers, etc., are being shipped into the Commonwealth, the department in the State into which the goods are sent is notified, and can prevent the distribution of such goods, and the inspector in the other State becomes the witness to show the conditions under which the goods were made. Our law will contain that same provision, hence the inspector in the State will be the judge of the place of manufacture, and will furnish the evidence to the other States of the unwholesome place of manufacture, so that he can prevent its distribution in his State.

Q. What effect would the present or the amended law have on the sweat-shop system?—A. I may be overzealous, perhaps, but I believe its literal enforcement would mean the obliteration of the sweating business.

Q. Do you think that is desirable?—A. I think it is, judging from present conditions.

Q. (By Mr. FARQUHAR.) How are the sweat shops of New York operated, and what is the character of the people who conduct them?—A. The clothing industry in New York State is both an extensive and an important one. The report of the department of factory inspection for the year 1898 shows that there are 8,920 factories, shops, etc., in the whole State wherein articles of wearing apparel for the use of man, woman, and child were being manufactured. This does not include rooms in the tenement or dwelling house used for manufacturing clothing, except in an odd case where the inspector found that the rooms used were entirely separated from any living rooms, and the use of such was allowed temporarily. Of the 8,920 shops recorded we find that 5,332 are in New York City proper and 1,117 are located in the city of Brooklyn. I desire it to be understood that this number includes both the custom and ready-made clothing shops which were inspected. By separating the number of shops found in New York City from the whole number reported it will be seen that the balance which must be credited to the rest of the State outside of the greater city is but 2,301 shops. For convenience we have divided the State into eight inspection districts; New York and Kings counties comprise the first and second factory-inspection districts, and the other six districts embrace the balance of the State. In the fifth, seventh, and eighth districts, in which are situated the cities of Utica, Syracuse, Rochester, and Buffalo, we find 1,980 shops, leaving only 391 shops to be distributed among the remaining districts. In the 8,920 shops and factories inspected we find 103,544 persons employed, 56,540 of whom are males. We found 1,875 persons employed in those shops who were under 16 years of age—656 males and 1,219 females. Of the whole number of women employed we found 13,300 who were under 21 years of age. Of the total number of males we found 1,918 who were under 18 years of age. In the first and second districts we found employed 33,004 persons out of the total number of 103,544 persons as reported in all the shops. Of that number 69,019 persons are reported working in New York and 13,985 in Brooklyn. These figures, relating to both the number of shops and persons employed in them, show a decided increase over the previous year. It must not be understood that these 8,920 shops are all of an inferior order. Many of the shops here mentioned are modern in all their parts and are provided with every convenience for the accommodation, health, and comfort of the persons working in them. The condition of employment in them as regards the hours of toil and scale of wages is in all fully as good as is found in other trades where the work is not technical. In all such factories the term "sweating" does not apply in any sense. Sweating applies only to the poor shops and where the surrounding conditions are such as to be detrimental to the health of the persons employed. There is a very wide difference between a sweat shop and a well regulated clothing factory, even under the most favorable conditions. The contractor, or "sweater," as he is commonly called, employs no motive power to run machines except that furnished by the operatives themselves. Our experience in connection with the manufacture of clothing is that the manufacture of clothing in the living rooms, or in rooms which are connected with living apartments, especially in places where big children form a part of the family, is positively dangerous to the public health. We have found contagious diseases in some parts of places where clothing was being made, though not frequently, and of course promptly reported them to the board or department of health, whose duty it was under the law to fumigate or, if the case warranted, to destroy the goods found in the place reported. "Sweating" derives its name from a combination of causes, chiefly among which are unsanitary surroundings, overcrowding of employees, a task system of working, a wage without a minimum limit, coupled very often with a taskmaster with a heart possessed of less feeling than that of a shylock. The system of subdividing the work to be done on any single garment leaves the worker with little or no knowledge of a trade, even after long years of service. The sweating system prevails more especially on the lower east side of New York City, in Brownsville, and also in the sixteenth and twenty-seventh wards, or what is commonly called "Dutchtown," in Brooklyn. We find engaged in this work the very poorest class of immigrants. I refer particularly to the Lithuanians, Polish, Italian, and Jewish people engaged in this industry. Forced by poverty, they flock to the very poorest sections of the city, where rents are lowest, and consequently where the conditions of the buildings and surroundings are the very poorest. The conditions surrounding the people living in these places and working in the so-called shops in these sections of the cities above mentioned are very bad. The appearance of the people and everything surrounding them is very foul; even the air in the streets is filled with odors which are often very offensive.



I could shock the commission with accounts which our inspectors have reported to me of indecencies witnessed by them while working in the sections referred to. I have no wish to be harsh in expression, but I will say that while the people to whom I am referring can not be blamed for the conditions of the buildings, their arrangement, etc., yet it does seem to me that they are to blame for the unclean condition in which we find very many of them, as well as the often very filthy condition of the room or rooms in which they work and live. They seem to care nothing about the observance of proper sanitary conditions. I can not say from observation that they have any knowledge at all of sanitary rules. Long hours are worked by those engaged in making clothing in the dwelling rooms. As you must understand, we have no control over members of the family working in the home; but we know of the above-mentioned conditions from our experience. We have gone into the tenement house and into the dwelling house even without complaint; we have driven out strangers who were found working contrary to law, and where we found the conditions foul or filthy, by the use of the tag which is provided in section 102 of Article VII of the labor law, we have prevented members of the family from manufacturing until they cleaned their places. Our experience forces upon us the conviction that the people themselves are more directly responsible for the foul or filthy conditions found than any other cause surrounding them. We can force them to clean to-day, scrub their floors, as we have done, make them properly clean their toilets, use disinfectants, and apply all those sanitary suggestions that we think necessary to make more wholesome the surroundings in which they work. We have gone back to that place on complaint, perhaps a week later, or sooner, and found the conditions worse than they were in the first instance. Under these circumstances we must blame the persons living therein for the very bad conditions complained of.

Q. (By Mr. NORTH.) Are the contractors responsible for that?—A. I really can not say that they are, except where the people are working immediately in the room or shop of the contractor, and even then you can readily understand that the man who is trying to make his money at this work is not paying much attention to the sanitary condition of the place and he will be apt to say, "Well, if they do not want to keep it (meaning the shop, etc.) clean, I do not care."

Q. (By Mr. FARQUHAR.) Is there not a business arrangement that stands between the wholesale house and the worker?—A. That is the business we call "sweating;" the business of the contractor or subcontractor who engages to do the work at a minimum price.

Q. Is there a contractor and also a subcontractor?—A. Yes.

Q. Is there any responsibility under the law attached to this contractor?—A. Absolutely none in tenement work, except where we find them working in the shop. We can, of course, control conditions in the regular shop, but when the contractor sends his goods into the tenement house to be made up by the wife, daughter, husband, or whoever it may be, to whom he sublets the work, our jurisdiction ceases.

Q. Are these people mainly foreigners?—A. Yes.

Q. What proportion of them are Americans?—A. It is difficult to answer fully, because I have no satisfactory statistics to show, but, at a guess, not 8 per cent are Americans. I think I am making it very high when I make it 8 per cent.

Q. Do you refer particularly to those on the east side of New York and in Brownsville and other parts of Brooklyn?—A. Yes; they are mainly there; but there is a good deal of clothing made in Syracuse, Utica, and Rochester, and some in Buffalo, though it is not made extensively in Buffalo. Albany and Troy have very little outside of custom work. In Syracuse, Rochester, and Buffalo there is a different and better class of people employed in the making of ready-made clothing. They are Germans as a rule; conditions are different and better, and in those places we experience no trouble whatever from a sanitary standpoint.

Q. Do you think that in this dwelling-house employment outside of New York city, where conditions are sanitary, there is an advantage to the families that do such work?—A. Yes; we find many persons employed at this work who own their own homes. Their shops are in the rear of, or built in the rear of, such houses and are wholesome and clean. This is the case when the man of family employs outsiders to work in these rear shops, with the immediate members of his family. It is an advantage to the family, but the regular factory hand condemns this method as injurious to him and his interests, as it is claimed that the home worker labors for a less price than is paid for shop work. The only difficulty we have had to complain of in that direction at all is the subject you spoke of—the employment of children. In New York State the courts have ruled that we have no power to interfere with the employment of children by their parents or in charge of their parents; and under that ruling I have endeavored to secure cooperation with the school authorities in the State. We have a compulsory education law in the State

of New York, which is very drastic, but is entirely under the control and supervision of the various school boards and the general direction of the State superintendent of public instruction. We found upon consultation that even the compulsory education law was defective, so far as giving the school authorities the power to interfere with a child in its own home; and this year the school laws are being corrected so as to have the child-labor laws and the compulsory education laws work in harmony.

Q. (By Representative GARDNER.) Is it true that any considerable amount of clothing, such as you are speaking of, is sent through the country into the homes, more particularly those of widows who have daughters, to be made up?—A. Yes; that is done to some extent in the city of Rochester, but not to any great extent outside of that city. In Rochester the making of clothing in this respect is conducted in about the same manner as the manufacture of shirts, collars, and cuffs in other places. For instance, the farmer comes to the city or town and gets a bundle of clothes, vests, pants—very seldom coats—overalls, and some things of that kind, and takes it ten or more miles into the country to his home to be made up. We do not find any fault with that. In the shirt and collar industry in New York State work is very widely distributed in that way. We know of cases where such work goes into the country 35 miles. They come into town perhaps once in two weeks, and take home their supply of collars and cuffs for turning and finishing.

Q. (By Mr. FARQUHAR.) What is the difference of wages among these people, say in Brownsville and eastern New York, and Syracuse, Rochester, and Buffalo?—A. The difference is not very great, but still it is something. For instance, we find that a certain grade and style of coat, say a sack coat, is made in New York for as low as 32 to 39 cents, while in Rochester and other places mentioned, outside of New York, the same coat would probably bring 45 cents. I can say, too, that much better prices for work are paid in the cities up the State in the clothing industry if it were not for the very low prices at which clothing is offered to the trade by the New York dealers, which latter fact is due wholly, I may say, to the extremely low wage paid to labor in eastern New York and vicinity.

Q. (By Mr. NORTH.) How long would it take to make that coat?—A. Ready-made clothing differs from the custom-made article mainly in the difference in the manner of making and the amount of labor bestowed upon it. The ready-made article is cut in quantities from a given form or pattern, while the custom article is cut from actual measurements of the body and cut singly. The ready-made article is all machine made, while the custom-made article is hand stitched. The ready-made article is pieced out to various persons to be made up, while the custom article is wholly made by the man or woman to whom it is given. Sweating derives its name very largely from the subdivision of the work. Very few of the people engaged in the manufacture of ready-made clothing are practical tailors. It is a sort of a piece-price plan of working; each person has a different part to finish. No one, with some few exceptions, of course, has to make the entire garment, as the custom tailor would make it. So that, while one person will sew the trousers together, another makes the pockets, another fits the pockets in, another does the felling, another the pressing, another puts on the buttons, another makes the buttonholes, and it is so subdivided into those various methods of working.

Q. Are not the wages you mention for coats abnormally low?—A. That is a pretty good price. I could cite you prices even lower than that mentioned, but they are exceptional cases which were brought to my attention. There are, of course, better prices; but the labor is greater when a better price obtains for work.

Q. (By Mr. FARQUHAR.) Can these people, even if they work sixteen hours a day, have any of the ordinary comforts of life?—A. I can not understand how they can. I do not see that they have. I have stood in the shop many times and watched those people work, and while watching them and knowing the price paid them for work I have wondered how they managed to exist at all. Still, they tell me they sometimes make good wages. When they say they make so much a day or so much a week they do not count nor consider the number of hours they work over eight, nine, or ten each day.

Q. (By Mr. NORTH.) What do they average per week in wages?—A. It is very difficult to say. The wages vary greatly. Cutters get one price; they pay so much apiece for felling; they pay so much apiece for finishing, for pressing, and for making buttonholes. While we have picked up some random notes, they are nothing that I could say are definite, but outside of the skilled workmen the wage is very low.

Q. (By Mr. FARQUHAR.) Is there some kind of uniform scale when the work is in the hands of contractors.—A. I do not think so. A short time ago there was a good deal said about the manufacture of army clothing in the sweat shops of New York. Our inspectors had reported to me the finding of army clothing in tenements that I would say were entirely objectionable for the manufacture of such garments, but, as before stated, over which we had no control. For instance, a manufacturing concern like the firm of Messrs. C. Kenyon & Co., of Brooklyn, which runs a large shop or factory, took contracts for making army clothing, and, in my way of expressing it, gets its work done on the "American" plan. They were obliged to agree that the work should be done entirely under their own roof, and I think this agreement was faithfully carried out. There was also the Bay State Clothing Company, and they hired a building in New York City for the purpose of fulfilling their contract with the Government.

Q. (By Mr. NORTH.) Did the Government make that requirement?—A. Yes; so I understood. There were other firms that obtained contracts from the Government and I presume were bound by the same agreement (it was a verbal one I think), but who did not live up to it. They took the clothing, as I say, into these objectionable places. Our inspector went to some of the contractors and called attention to it, and in this way called the attention of the War Department here in Washington to the matter. A person representing the War Department came to New York. I assigned one of our inspectors to go with him and cautioned the inspector that no information of this gentleman's presence should be conveyed to any person who was conducting the manufacture of clothing in any objectionable place. With our inspector he visited shops on the East Side of New York; he visited the Bay State works in New York City, and Mr. Kenyon's works in Brooklyn. In a word, we showed him just what we saw and knew ourselves. The result of this investigation was, that there will be no more Government contracts let to parties in New York without a written understanding that army clothing will not be made in objectionable places, and there is a sort of an understanding now, and suggestions have passed between the factory inspection department and the War Department here, by which steps will be taken to prevent in the future the manufacture of army clothing in sweat shops.

Q. (By Mr. FARQUHAR.) Into what class of wholesale and retail houses does the product of the sweat shop go in New York City?—A. I know of but one house in New York City regarding which I can say absolutely that it does not employ that class of labor. There is but one exception among 500 manufacturers, and that is particularly so in the cheaper grade of garments.

Q. Is there much difference between the wages paid in these sweat shops and in the regular manufacturing establishments?—A. I have never investigated the question with a view of getting at the difference, but I have information that there is considerable difference.

Q. Do you think the effect of the new law in the State of New York is to drive out this underpaid labor and take it out of competition with those who are earning a decent wage?—A. The literal application of the proposed law would, in my opinion, have that effect.

Q. (By Mr. NORTH.) Will it probably drive the sweating business from New York, as it has driven it from Boston, into some other city, until the same regulation is applied there?—A. It would probably have that effect to some extent, but I do not anticipate that it would have such an effect. The population for manufacturing clothing is in New York and Brooklyn, and as long as they can contrive to exist there they will not leave. If the manufacturer left the State perhaps they would follow, but they will not go first. What I would expect would be that the manufacturer, perhaps, would be obliged to supply wholesome and sanitary work quarters for the making of his clothes or goods, or if he did not it would wipe out a whole lot of the so-called subcontractors and middlemen and only the strongest would survive, and they, to continue in the business, would have to supply themselves with proper shop accommodations. This is what I look for.

Q. (By Mr. FARQUHAR.) Would it cause the wages of those sweaters' employees to be raised if the law came into force?—A. I do not believe it would do so immediately. While the competition would last, and while the great surplus of labor would be there to feed that competition, I do not think the wages would be raised to any appreciable extent. The question of wages can not be successfully treated without a good and strong organization of the workers themselves, and this is a matter that these people do not seem to take to. At least they do not seem to understand the necessity of it.

Q. Is there much competition between the contractors?—A. No doubt about it; it is fierce. We found army pants, infantry pants, being made for 22 cents and

26 cents; cavalry pants, 26 to 35 cents. This is what the contractors with the Government paid to the subcontractors, and no doubt these prices were further shaved before the workmen were reached.

Q. What did the contractor with the Government receive for those garments?—A. I do not know. We also found soldiers' overcoats made for 93 cents and \$1 each.

Q. Did you discover what the contractors immediately under the Government received for those coats?—A. No; they would not tell you. We have no power to make them tell us. Of course they would claim they make very little on their contracts. In other lines of goods I will quote some prices paid the contractor, and which were obtained by our inspectors from the contractors themselves. For pants, 7, 10, 12, 18, 20, 25, up to 45 cents a pair; vests, 12 and 25 cents each; sack coats, 30 to 75 cents each; frock coat, extra fine garment, satin lined, 62½ to \$1 each; a beaver overcoat, 60 cents; a better one, \$1; reefer overcoat, 45 cents; knee pants, 4 to 8 cents per pair; with double seats, 6 to 10 cents per pair. Children's jackets, as low as 6½ cents each. On this work we knew of one man who made 35 jackets in a day. In one instance we found a woman working on ladies' shirt waists, making the garments complete outside of cutting, for 40 cents per dozen. The custom worker receives for making a pair of pants, \$1; vest, \$1; sack coat, \$5; frock coat, \$7; overcoat, \$10. I give only the minimum price for custom work.

Q. (By Representative GARDNER.) Do they send clothing out of New York to country towns, where rents are cheaper, to be made up?—A. Goods are taken from New York to New Jersey to some extent, as they are from New York to Brooklyn.

Q. (By Mr. C. J. HANES of Ohio.) Have you ever known of a case in which clothing made in these objectionable places has produced or propagated disease?—A. I can not say that I have a personal knowledge of such a case. Of course it would probably be a difficult thing to say, if a man were taken sick, what immediate cause was responsible for his illness. Last summer I bought, in one of the leading clothing houses in Albany, a suit of clothes for my second eldest boy—a boy sixteen years of age. In less than three weeks his body was covered with vermin. I supposed, when my wife spoke to me about him, that he had met with some accident, but when I went to the boy's room he was sitting on a chair with his clothes all off him; they were literally alive. I picked up his pants and the seams of his trousers were covered with the vermin, and they had spread themselves over his body.

Q. Were they body lice?—A. They were lice.

Q. (By Mr. FARQUHAR.) Is it true that in Brownsville and on the East Side in New York you can hardly find a single house, where the sweating process is established, that is not infested with vermin?—A. I would not want to make my reply as broad as that. I think there would be no trouble in finding vermin there. I have a friend who bought a suit of clothes in Brooklyn a short time ago, and he told me he found vermin in it.

Q. Is it a fact that in Brownsville and Dutchtown, and on the East Side of New York, smallpox and measles exist nearly the whole year through in the sweating establishments?—A. I can not say that smallpox does, but I do not think there is any doubt that disease of some kind does hold its presence there the year round. I want to remind you, too, of the difficulties that are experienced even by the board of health, with all its arbitrary powers, to enforce its sanitary regulations. A gentleman from Brooklyn told me that out of some one hundred and two or three cases brought into court by the board of health, nearly all of which related to Brownsville, 80 odd cases were dismissed by the court. The inference that he tried to convey was that the court was crippled by the force of the influence of the friends of those people. Brownsville is, in my judgment, one of the worst pest holes in America. The city of Brooklyn does nothing to improve the place or its streets, and pays no attention to its sanitary arrangements. I was speaking with one of my inspectors, who had been in Brownsville Friday or Saturday, and he told me he had to put on a pair of rubber boots to go there.

Q. Do they all have surface drainage?—A. Yes, sir, and simply awful, and the conditions immediately surrounding the habitations are so foul, so filthy, as to disgust any decent person, and all coming from the cause I previously mentioned, the habits of the people themselves contributing greatly to intensify the bad conditions. A clothing firm in Brooklyn has a very extensive shop. They built it with a view to having it comply with every requirement of law. They had their toilet arrangements separated thoroughly and satisfactorily. The plumbing and flushing arrangements for toilet purposes were complete. They opened their shop there a little over two years ago. The manager and superintendent prided himself upon the arrangement. An inspector visited the shop just before they started

to do work in it. The manager showed him the entire establishment, and he dwelt with special emphasis upon the nice toilet arrangements which he had there. The inspector told him it would not last very long after he got people to work in the shop. The manager said: "Oh, no; that's all right; nobody will or could have trouble with that." About four months afterwards our inspector went back. The shop was then running full-handed, and as soon as he stepped into the office the manager said to him: "Inspector, you were right about the toilet business. I have had more trouble trying to keep those toilets clean than with all the rest of my work, and the women are ten times worse than the men. I do not have any trouble with the men, but the women—I have to watch them all the time." What is the result? This firm has to employ a woman to do nothing but watch the women who go in those toilets; keep them clean and watch who commits nuisances in them. I would not want to recite to you some of the experiences met by our inspector. When I took charge of the department, I took up this particular part of the work with a great feeling of humane sympathy for these poor, unfortunate people. Every honest effort possible under the present law has been made by the department to help them. We can deal only with the surrounding conditions; with the all-important and vital question "wages," we are, of course, powerless to render them any aid whatever. This is a matter of which, as I said before, they themselves must attend to through the influence of their own united efforts. I do not know of any law that can be framed which will make one man pay more to another man for labor than they are both willing to agree to or than the necessities of one or the other will force the payment of, but when one party is absolutely dependent and in actual want for the mere necessities of life, he is placed at a great disadvantage, and must, unless aided by some means greater than himself, suffer accordingly. We often meet strong opposition from the workers themselves. They resist the law; they resist the efforts of the inspectors to help them. In such cases one is apt to lose all feeling of sympathy for them and to employ drastic treatment in order to make them understand that the law must be obeyed. Very often we meet them and find them dishonest in their dealings with the inspector; refusing to tell the truth in answer to his questions. I think this is due more to their ignorance of the intent of the law than a desire to defy its provisions. This dishonesty on their part works much harm to the efforts of the department and makes us suspicious of everything they say to us. We are quite often obliged to call in police aid in order to force a compliance with necessary orders. They regard the law "as oppressive of poor people." They would rather work in the dirt and not lose any time and take all chances from disease arising out of the foul and filthy conditions than to do that which the law requires and which would in some measure, at least, conduce to their health if not comfort. This is only a repetition of our everyday experience in dealing with these people. We hope within a short time, with the aid of a more drastic law, to be able to bring about changes that are absolutely necessary in connection with this line of work. But before it can be done tenement work must be absolutely controlled by the factory inspection department. Of course, in this respect, I am referring to the people just mentioned. We meet others who violate the law by evasion of the truth as well as those referred to.

Q. (By Mr. NORTH.) Are there Hungarians among these people?—A. Not to any extent. The Hungarian is not doing much in the clothing line in our State.

Q. (By Mr. PAROOTHAR.) Are there Germans and Scandinavians?—A. A few Scandinavians, but quite a large number of Germans.

Q. Were they the German Jews?—A. Yes, to some extent.

Q. Can you give the commission some information in regard to factory labor of women and children in New York State?—A. Our child-labor laws are very good. Section 70 says: "A child under the age of 14 years shall not be employed in any factory in this State," so that the positive prohibition is 14 years at which they can go to work. Even between 14 and 16 a child can not be employed to labor in any factory unless it has attended upon instruction at a school, either public or otherwise, or private instruction, during the year immediately preceding its arrival at the age of 14. If the child is illiterate, it is not entitled to a work certificate between 14 and 16 years. If children have not attended school, as required by law, up to the age of 14, they are not entitled to a certificate to work between 14 and 16.

Q. (By Representative GARDNER.) Is the object of that provision to induce them to go to school?—A. The primary object is twofold—first, to educate the child; secondly, to prevent its employment up to a certain age.

Q. What is the object of prohibiting the child from working between the ages of 14 and 16 years?—A. The primary object for those two years is the education of the child between 14 and 16 years.

Q. (By Mr. NORTH.) Are false affidavits often made by parents as to the age of children in order to put them to work?—A. To some little extent. It is not now so extensive as it was prior to the law of 1896. The 1896 law was framed from the recommendations of the report of a legislative committee known as the Reinhard committee. Prior to the passage of the amendments of 1896 to the child-labor laws the matter of false affidavits was very widespread—that is, it was an abuse—but after the arrangement which divided the duty between the factory inspector's office and the local boards of health, it took away the incentive, because there was a sharp penalty attached to the act. It took the enforcement of that law out of the hands of the interested parties, the parents. Prior to 1896 it was habitual in large establishments where children were employed to any extent to have a bookkeeper, or some person who was in constant attendance at the office, made a notary public, and the affidavit of the parent would be secured, giving the employer permission to hire the child. The parent perhaps would work for the company; he would be asked to make the statement, sworn to or not—it was submitted as sworn to, anyhow. He, in order not to offend the employer, would make the statement, and the child was put to work. The inspector, when he found the child employed, although he may have morally felt that it was not of age, he felt that when the affidavit of the parent was there his duty ceased; but under the amendments of 1896, and, as revised again in 1897, the present law is very forceful and very broad in its operation. I have charged officers of the board of health that I would punish them for evasion of its provisions if they were not careful in the performance of their duty, and I now have a case in Cohoes of the arrest of a father who made a false affidavit as to the age of his child. The child, happily, was born in Cohoes, and we could trace the record of his birth.

Q. (By Mr. PHILLIPS.) What would the penalty be in such a case?—A. Perjury is a felony. I simply charged him with a misdemeanor—evading the law. The penalty will be a fine of \$30, or the court can put it up to \$100.

Q. (By Mr. PAROOTHAR.) Is it a fact that New York has amended many of its laws by extending the penalties within a few years?—A. Yes.

Q. Have nearly all the amendments to the labor laws in the last two or three years been of that character?—A. Yes.

Q. Are the infractions of these laws clearly defined?—A. Yes. I took a great interest in the revision of the factory law. The statutory revision commission felt, in their first arrangement of the law, that a simple misdemeanor was sufficient, but I protested and told them that that would leave it to the discretion of the court whether he should charge \$1 or a greater sum, and would, in my opinion, tend to vitiate the law. On my representation a minimum penalty of \$30 and a maximum of \$50 or sixty days' imprisonment, or both, were inserted for repeated offenses.

Q. Are there free public employment bureaus in New York State?—A. Yes.

Q. Are they of any benefit to the working classes?—A. I have no knowledge on that subject except such statements as were made in the annual report of the bureau of labor statistics, which has jurisdiction under that law. There is only one free employment bureau in existence in the State, and that one is in New York City. They wanted one in the city of Buffalo, but the legislature has not made any appropriation which would enable the department to put it into operation.

Q. (By Mr. CONGER.) Do you know if a majority or large percentage of the sweaters you have described are illiterate?—A. They do not speak our language and those, of course, who have any connection with us are of the intelligent class, but what percentage are illiterate I can not tell.

Q. Is it large or small?—A. I rather incline to the larger idea.

Q. Do very few of them speak English?—A. Yes. I will say on the general proposition of restricted immigration that, as an American citizen and as a man who has had considerable touch with labor and its interests, I am opposed to the coming to this country of any class of labor or any class of people who do not come of their own free will and by their own self-effort, through the means which they themselves have created by their labor in another country. I do not believe that it is proper to send money from America to bring people here, or that it is beneficial to our industrial interests to do so, no matter whether a relation or somebody else sends it. It is from that source, in my judgment, that this great surplus population that exists to-day on the East Side of New York and in other places is drawn—the people who are assisted here by funds sent from America.

Q. (By Representative GARDNER.) Do the illiterate Poles and Scandinavians who are found in the sweatshops in New York remain there?—A. Our experience is, without being able to furnish any definite figures, that the population of this class of people on the East Side of New York and in Brooklyn is constantly increasing. We found a few years ago that they were confined to a few streets



in the extreme lower East Side of the city; to-day, they are extending up gradually. We find them up to Fourteenth street, and even higher up in the so-called better sections of the city.

Q. Do the Poles remain there?—A. We find them remaining there to quite some extent; not to so great an extent though as the Hebrews.

Q. Do you find any of them who can speak English?—A. They pick up the language much quicker than the others, but we do not meet with the same difficulties with them that we do with either the Italian or the Hebrew, because they are less in number.

Q. (By Representative LIVINGSTON.) Suppose the commission should recommend to Congress that the immigrant must remain in this country five years before he could apply for citizenship, and that before being naturalized he must be able to read and write the English language, and bring a certificate from his neighbors showing that he is sober and moral. If such a law were enacted, and known all over the world, would it not stop these fellows from coming here who do not intend to assimilate themselves as citizens and help develop this country?—A. I think it would have a deterrent effect without a doubt. I also feel that the ease with which the alien to-day can become a citizen has a tendency to very seriously interfere with the proper conduct of American institutions.

Q. Is it not true that in groups and settlements all over the United States Italian and German are spoken in the schools, and that these people do not assimilate with the American, or even attempt to learn the American language or American customs?—A. Yes, there is no doubt about that.

Q. How can you hope, in New York or Brooklyn, with such an element, to better that condition?—A. A man who has the door open to him without let or hindrance has not that respectful appreciation of our laws and institutions that he ought to have, or that he would have if the labor of becoming a citizen were more exacting and more difficult. I am the son of an immigrant, and I would not close the door of this country against any man, I do not care what his race, color, creed, or nationality may be, who had stamina and manhood before he came here, and who was inspired to come to this land by feelings of self-respect and a desire to get away from certain conditions and restraints that he was living under abroad. I would not have a law that would prevent that man from coming here. That man, when he gets here, in my judgment, comes with a fair purpose of elevating himself and those who may be dependent on him; but the other man who comes here because somebody tells him it is a grand country, where money is found in the streets, comes to be a drudge and a drone and drag-down to every intelligent effort to elevate the industrial interests in this country.

Q. (By Mr. RATCHFORD.) Do the people of whom you have been talking prize their citizenship highly?—A. With few exceptions, I must answer in the negative.

Q. In that case would the restraint that Colonel Livingston suggests have the desired effect?—A. That would bring to our citizenship, it seems to me, a different class of people, or at least people with different ideas; that is, their minds would be framed a little differently because of the restraints they experienced before they became citizens. To illustrate: Last fall, in the election district in which I vote, there were five Poles; they were naturalized and were entitled to vote in that district. Those five men came to the polling place, and stood around and let it be known that there were five votes that could be had for \$25. The man who was looking after the party interests spoke to me about it and said, "What do you think about that proposition?" I asked him if he was correct in what he said. "Why," he said, "absolutely, because I was talking with them, and there was only one of them that can talk English." I said to him, "You go back and tell that man that if he wants to vote he can vote because he is entitled to do so, but that if I learn that any one of them is paid a cent of money and I can learn who pays it I shall punish him severely." Four of them walked away and did not vote at all, but one of the men came in and voted and went away about his business.

Q. (By Representative GARDNER.) What is the motive of this class of people to become naturalized?—A. My opinion is that some become citizens because of a personal desire to do so; others because there are industrial prohibitive laws existing in the State which prevent them from doing certain work; others for the purpose which I have just described. Such men appear at the polls with no appreciation of the value of citizenship. I have, with the assistance of Secretary of State McDonough, prepared a bill which was designed to make it a hardship for aliens to get those benefits which are so easy to secure now. We propose that before they can be employed on any public work, either State or municipal, they will have to produce their citizenship papers, and that the contractor, board, or department hiring them will have to make a public record of the fact that they are citizens.

I want to call attention to a clause I had incorporated in our child-labor law. I found the board of health, or the officer of the board of health, in the city of Buffalo interpreting the law of 1896 in such a manner that a child who could show that he had attended school during any period of the school year from the time he started to school at 6 years of age up to 14 years would be granted a work certificate. In the codification of the law of 1897, I had the law amended to read: "No certificate shall be granted unless it appears to the satisfaction of such board, department, commissioner, or officer that the child applying therefor has regularly attended at a school in which reading, spelling, writing, arithmetic, English grammar, and geography are taught, or upon equivalent instruction by a competent teacher elsewhere than at a school, for a period equal to one school year, during the year previous to his arriving at the age of 14 years, or during the year previous to applying for such certificate, and is able to read and write simple sentences in the English language." The last part beginning, "during the year previous to his arriving at the age of 14 years," etc., is what I had put into our child-labor law. Our application of that law has been that if the child is nearly of the required age of 16 years, and is pretty well advanced in his native language, we do not impose any hardship on him about going to school; but if a child has just passed 14 years and applies for a certificate and can not read and write the English language, we insist that he must go back to school and learn to do so. I have been told by some of the officers in Buffalo that it has had the effect of breaking up some of those alien language schools there.

Q. (By Mr. RATCHFORD.) What effect will that class of people who often come here of their own efforts, and refuse to assimilate with us and to maintain the standard of living or the wages of the American workmen, ultimately have upon our country?—A. I think much would depend upon the numbers, the class, and the so-called colonizing. If they were distributed, were not permitted to settle down in colonies, I do not believe that the detrimental effects would be so great, but I do believe if, as now, they come in sufficient numbers to build up independent colonies, that would have a very bad effect on wages, hours of labor, and conditions of employment generally.

Q. Do you believe that the very worst results are secured by reason of those people settling in the large cities when they come to this country?—A. Yes, sir. It is apparent to any observing person that they are. Let a man pass through East Broadway in New York and shut his eyes, and I will guarantee he will imagine himself in Jerusalem or Sicily.

Q. If that is true, what reason is there for believing that these people will, for any considerable length of time, segregate themselves into communities?—A. They have no reason; only present experience forces us to believe that they will. In Buffalo the Poles are all together in a certain portion of the city, and you will hardly find a Polish family, I think, outside of that section.

Q. How long have they been there?—A. For a good many years.

Q. (By Representative GARDNER.) How long have these other communities existed and what good reason is there for supposing that the people will stay together?—A. Of course I can not answer that, except to express the opinion that it is due to their national feeling for one another. Two years ago the papers published a statement, as coming from the immigration bureau of the State of New York, that of the 96,000 immigrants coming to this country 96,000 remained in New York City, Boston, Connecticut, and portions of New York State outside of New York City. Very few of them went farther away.

Q. (By Mr. FARQUHAR.) Did some of them go to the mines of Pennsylvania?—A. Yes, sir; but the great body of that 130,000 people remained in the State of New York, and principally in the city of New York.

[The commission took a recess until 2:30 o'clock, at which time the testimony was resumed.]

Q. (By Mr. FARQUHAR.) Have you anything further to say in relation to child labor?—A. Speaking of child labor in New York, I desire to be understood as referring to it only as it applies to manufactories, bake shops, and mines. These are the subjects of which I will treat. Last year, the total number of inspections and investigations of factories, mines, and bake shops amounted to 37,249. That number of establishments furnished employment to 700,415 persons. The number of males was 490,250, and the number of females 210,165. The total number of children employed, over 14 and under 16 years of age, was 13,086, or a fraction less than 2 per cent, which is a very low figure. The total number of illiterate children found in that number was 142. The total number of children found employed under the statutory age—14 years—was 300. The total number of females found employed under 16 years of age was 7,058; the total number of males under 16 years of age, 6,028. The total number of children found employed who were

entitled to employment but did not have a certificate on file in the office of the establishment where they worked was \$17. I think that will show you the operation of the child-labor laws and the wholesome observance in our State.

Q. How many hours does the law permit children to be employed?—A. The factory laws of New York provide for sixty hours a week, or not more than ten hours per day.

Q. Does the law make any provision in respect to overtime?—A. No overtime for minors is permitted under our law.

Q. If they take advantage of an hour or two on Saturdays, for instance, how do they manage to make up that time?—A. There is a privilege in the law which reads: "When, in order to make a shorter workday on the last day of the week, a female under 21 or a male under 18 years of age is to be required or permitted to work in a factory more than ten hours in a day the employer of such persons shall notify the factory inspector in writing of such intention, stating the number of hours of labor per day which it is proposed to require or permit, and the time when it is proposed to cease such requirement or permission; a similar notification shall be made when such requirement has actually ceased." The permission, of course, is granted.

Q. Is there in the State of New York a provision for a general eight-hour day on State work?—A. Yes, sir, on State and municipal work.

Q. Is there any provision in that law that permits overtime?—A. Under agreement between master and servant; the law does not prevent extra hours for extra compensation.

Q. Do the street surface and elevated roads come under the ten-hour law?—A. The codified laws of 1897 provide that labor on surface and elevated roads shall not exceed ten hours per day, with one-half hour for dinner, but there is no penalty for its violation. It is simply a statute without any means to enforce it, except such as may be brought about through the efforts of the men themselves in their organizations.

Q. In the case of steam railroads, does the arrangement of running so much mileage instead of so many hours obtain in the State of New York?—A. They have both systems there on the steam railroads. Ten hours performed within twelve consecutive hours constitute a legal day's work. The running under mileage nullifies that matter to some extent. That is another industrial law that is not under the control of the factory inspector.

Q. Does the ten-hour law, with sixty hours a week, apply to the factory law?—A. The general factory law does not touch the hours of labor for adults; that is, males over 18 and females over 21 years of age.

Q. What are the prevailing hours of labor in the factories in the State of New York?—A. I think sixty hours is the prevailing week, and frequently fifty-nine, except in some trades where the hours of labor are less.

Q. Are there any legal limitations in respect to any particular trade; the baking business, for instance?—A. Section 110, which is the first section of the bakery inspection law, says: "No employee shall be required or permitted to work in a biscuit, bread, or cake bakery or confectionery establishment more than sixty hours in any one week or more than ten hours in any one day, unless for the purpose of making a shorter workday on the last day of the week, nor more hours in any one week than will make an average of ten hours per day for the number of days during such week in which such employee shall work."

Q. Previous to the passage of that law what was the average hours of work of the bakers?—A. I have had my attention called to cases where the men worked twenty-four hours without cessation; sixteen and eighteen hours were quite common; twelve and thirteen hours was the rule.

Q. Will you state the advantages of this inspection of bakeries, the laws that control their sanitary condition, the condition in which you found them before the bakery law was passed, and their condition now?—A. The bake-shop inspection law was passed in 1895, so that it has been in operation only three years. Prior to the passage of this law it was admitted on all sides and by every person who had any knowledge whatever of the baking industry that the abuses to which the employees were subjected, the very long hours, and the manner of labor and surrounding conditions were little short of barbarous. Bake shops were little better than a mass of filth. There were, of course, in this case as in all others, exceptions to the rule. Some people are of cleanly disposition, and they will not live in dirt anyhow, but the abuse was so great as to call for this remedial legislation. The conduct of the bakery was handled under very bad conditions. Baked biscuit, bread, cake, etc., were thrown on the floor; they were very seldom put into a proper receptacle, and were handled more like rocks in a quarry than a matter that was produced for human consumption. We found closets in the

bake shop as foul and filthy as ever existed outside. We found the ventilation conditions to be bad in the extreme, low ceilings, shops where a man of ordinary height could not stand upright. We found the accumulations of filth to be very great. We found bugs of every description. The bakers very often were forced under contract with their employers to make the bake shops their home, sleep in them, and all that; and we found beds, and those beds were not kept as they should be. There was no care or attention given to them at all. This law struck at the eradication of all those things. The sanitary plumbing and all those arrangements were on a plane with the others, and the law was drafted with the idea of getting rid of the objectionable things complained of to the legislature by the workmen, and by many others outside of the workmen.

Section 111 of the laws says: "All buildings or rooms occupied as biscuit, bread, pie, or cake bakeries shall be drained and plumbed in a manner conducive to the proper healthful and sanitary condition thereof, and shall be constructed with air shafts, windows, or ventilating pipes sufficient to insure ventilation," and gives the factory inspector power to direct that plumbing and drainage. It prohibits the use of a cellar for baking purposes, unless the cellar basement has, previous to its use, been equipped in compliance with the provisions of the law. Section 112 regulates the height of the bake shop, and says that no room used for the manufacture of flour or meal food products shall be less than 8 feet in height. Section 113 provides that every bake shop shall be provided with proper wash rooms and water-closets apart from the bake room or rooms where the manufacture of such food product is conducted, and no water-closet, privy, or ash pit shall be within or connected directly with the bake room of any bakery, hotel, or public restaurant. Section 112 demands that shops be cleaned, whitewashed, painted, or anything in that line which the factory inspector may direct, and which is calculated to improve its sanitary and cleanly condition.

Since that law has taken effect it is fair to say that a very great improvement has taken place in all the bake shops of the State. We are hampered a little by the term of the law which says, "No cellar bake shop now in use." A bake shop in use when the law went into effect was practically exempt from the operations of the height clause until we could find it vacated; after it was vacated we could hold that the shop could not be used until the provisions of the law had been complied with. While the law is clear-cut in relation to the hours of labor, the courts of New York hold that the employee must himself testify before the court as to the number of hours he works before they will hold the employer liable for infractions or punish him. While that construction is proper and legal the enforcement of that particular section of the law is hampered because, as a rule, the employee does not want to testify, and is fearful of the consequences of his coming into court and testifying against his employer; but we have had a few cases under that section and have secured convictions in every case. The hours of labor of bakers have been materially reduced in all the bake shops of the State. I think the satisfactory working of the bake-shop law in New York is evinced by the complaints we received last year, which numbered only 9. The hours of labor in bake shops can not be successfully regulated, in my opinion, but in one way, and that is by a thorough and complete organization by the craft itself in cooperation with the department and a sensible cooperation with the employer himself.

Q. Are the bakers as well organized as you think they ought to be in the State of New York?—A. I think not.

Q. Has the shortening of hours of labor for the bakers made material changes in their wages?—A. I do not believe the reduction in the hours of labor of the journeymen bakers has in any case interfered with the wages paid prior to the enactment of the law. No, sir; the reduced hours have not caused a reduction of wages.

Q. (By Mr. RATCHFORD.) Do you recommend the organization of men in trades and their cooperation with your department and the employers, to the end that the department may become more useful and strikes may be avoided?—A. Yes.

Q. Have trades that are thoroughly organized contributed in agitating the question of improvement of conditions, shorter hours, etc., and aided in securing the passage of laws by your State alleviating the condition of the tradesmen?—A. There is no doubt that they have very largely contributed to that end. I do not wish to be understood as saying that this law is literally lived up to, because it is not, but it has aided to reduce the hours very largely. Further, during the last two years the proprietors and owners of property in which bake shops are situated have spent upward of \$300,000 in improving their bake shops under the law.

Q. (By Mr. FARQUHAR.) Was this remedial legislation in respect to bake shops the result of the exertions of organized labor, or did it come from the protest of

the public against the filthiness of the productions of these shops?—A. This legislation was, without doubt, the result of the agitation for such a law created by the journeymen bakers themselves. They primarily called the attention of the public to these abuses, and the public was, as they are in most cases, quick to respond and demand that such legislation be placed on the statute books.

Q. (By Mr. KENNEDY.) Were the journeymen bakers organized then?—A. I think fairly—as fully as they are now.

Q. (By Mr. FARQUHAR.) Were the bake shops in as bad condition as the wheat shops?—A. Well, no and yes. The sanitary conditions were just as bad. The reports of inspectors show that we have in the State of New York about 3,900 bake shops. The number of bakers employed in that number of shops is 14,812.

Q. (By Mr. NORTH.) Male and female?—A. Male and female. The number of females is very small—2,020.

Q. (By Mr. FARQUHAR.) Please state when the inspection of mines and quarries was added to your duties, what the results of your investigations have been, and whether you have applied any of the remedies provided by law.—A. The original mining law was passed in New York State in 1890. The mining inspector was not appointed until 1895 under that act. In 1895 the mining-inspection department was abolished as a department and the duties and powers of the mining inspector were placed in the hands of the factory inspector, with power to appoint a competent person to act as mining inspector. No practical work was done by the department, or was done in the line of mining inspection under that act, until after the appointment of a mining inspector by the factory inspector November 15, 1895. When I took charge of the department the 1st day of May, 1896, I found that the records relative to mine inspections were very unsatisfactory and very incomplete. Up to 1895 there was really no statistical matter collected. During 1895 the record shows there were 38 men killed outright in the mines, in a total of about 4,000 people. The law was revised in 1897. There were some conflicting provisions in the old statute, which were eradicated by the revision of 1897, and the revision of the law made its various provisions and sections very concise and plain. Under the operations of the revised law we have obtained very satisfactory results. For a period of fully eighteen months there have been but two deaths from accidents in the mines in New York State, and the employees in the mines have increased from 4,008 in 1895 to 4,574 in 1898. We found the condition of the mines in 1896 to be what I would term very dangerous, especially in the direction of the work. We found those who were in authority as superintendents, mine bosses, etc., to be very negligent in not giving proper attention and care to the various parts of the mine, the machinery, ropes, side walls, and places where rock would be apt to fall and strike a man. We found these things all very much neglected. We found the manner of handling explosives to be positively dangerous. In one particular case we found 200 pounds of dynamite stored in and about the boiler house where there were some 35 men. When the inspector went in there two of the men were playing ball with a dynamite cartridge, tossing it from one to the other, seemingly entirely unconscious of its fearful danger. These matters have all been remedied. We do not permit them under our law to-day to take into the mines any more dynamite than is required for one shift. That would be from 7 o'clock until 12 and from 1 until 6. We cause the storing of explosives to be removed out of the mines, and we have obliged the miners to secure a proper and safe apparatus to prepare the dynamite for use. We have caused all those things to be done which, as our report shows, have minimized the danger of accidents in mines, and we have created a condition of safety among mine workers which has resulted in increased employment in the mines. We have taken the handling of dynamite and explosives out of the hands of irresponsible persons and centered it in the hands of responsible persons designated by the superintendent for that purpose, and no other persons are permitted to handle the explosives. We have formulated a set of special rules under the law, which are binding alike on the boss and the men. The rules were directed against dangers which investigation showed to be present. I will read the rules to the commission.

"Rule 1. No person shall ride on any loaded skip, car, cage, or bucket, nor walk up or down slope or shaft, while any skip, car, cage, or bucket is above.

"II. Pit boss shall carefully examine the hanging walls of all slopes, levels, and working chambers daily.

"III. Machine runners shall carefully examine and sound hanging wall at face

working, and remove all loose rock or ore before proceeding to drill." That is, they run their drill along the face of the mine. The mine may be made into a double ledge, and there may be two or three props on the lower ledge left so that they can work the drill along that level, and this provision is that they will not allow any loose rock on the top to fall down and strike a man running a machine.

"IV. No employee shall handle any explosives or do any blasting except person or persons designated for that special purpose by the superintendent.

"V. After blasting, no person except the blaster or blasters, shall be allowed in the part of the mine where such blast has been fired until blaster has made a personal examination of the same and pronounced "all safe." That rule was gotten up for the express purpose of preventing anyone from coming back to a place where a shot had missed fire without taking proper precautions. Perhaps after they had gotten to their place and begun working, the explosion would take place and kill several people. That has happened very often.

Q. Are you referring to coal and iron mines?—A. No, sir; cement, salt, iron. No coal mines in our State.

"VI. No iron or steel bars, unless tipped with 6 inches of copper or other soft metal, shall be used for tamping dynamite or other high explosives; wood must be used in all cases." The reason for the use of soft metal is obvious to any person who knows anything about mining. Ramming a steel-tipped bar in the drill hole might result in striking the side of the hole and carrying the fire into the powder, or would cut the fuse, so that it would burn slowly, and an explosion would take place when not expected.

"VII. Mine superintendent, or person designated by him, shall examine daily all mining appliances, and see that they are in safe condition.

"VIII. Whenever a shot misses fire, no person shall be allowed to return to that part of the mine in less than three hours, unless blaster, after personal examination, shall pronounce "all safe."

"IX. No person addicted to the use of intoxicating drinks shall have charge of any explosives, boiler, engine, or hoist, or be allowed in any part of the mine while under the influence of liquor."

Those are the special rules that are in vogue in our State to-day relating to mining, and there is no question that they have revolutionized the condition of work in the mines.

Q. (By Mr. NORTH.) Are they generally observed by employers and employees?—

A. Yes, sir; to this extent: If a boss tells a man to do a certain thing which is forbidden by the rules, the man simply points to those rules and tells him it is impossible; and if the boss insists, and we find it out, we prosecute him. Those rules have the support of the law, because they are reasonable and are contained in the law itself. We found that the man who hoisted material in many cases had no steam gauge to tell him the number of pounds of steam he was working by. Those are all little matters of negligence on the part of the operators in not having those things provided. For instance, the steam gauge should stand before the face of a hoisting engineer. This is just as necessary as it is to have a steam gauge on the boiler. We found these things not enforced nor observed; but we forced them to put them on, so that at any time the hoisting engineer could tell the number of pounds he was working under. We found in the beginning a system of paying which was not in accordance with the law. We found a system of contract working which was injurious from a financial standpoint to the workingman. The company was solvent enough, but they let their work out by contract to a jobber. The contractor or jobber, as a rule, was not financially responsible. He would get the men; they would work for him, and if he was able to pay them and had a profit he stood by his word. If he lost, he generally picked up and dug out, and the men had to whistle for their wages. That was a condition that was quite prevalent in the mining localities in New York State. That has been entirely obliterated by the operation of the weekly-payment law. You will find that the weekly-payment law holds the original employer responsible for the wages as well as the contractor, and, in consequence of that fact, those abuses I speak of that were so prevalent in the mining localities have been obliterated, with hardly any exception.

Q. Do you find any opposition to this law?—A. When I took charge of the work there was opposition to it. I will say frankly that the mining operators were fearful of its consequences, but we went on and made a faithful, honest effort to apply the law, and we did it. We condemned mines; we took the men out of them, and would not allow them to work in them. We made them change their system of mining from unsafe to a safe system; changed them so that to-day there is no complaint. I think it is fair to say that if any person were to ask for the repeal of those laws, the operators would be first to protest against it. And all this has been done without a case of prosecution in any instance. Last year a cement company, which is one of the largest mining institutions in the State, went through the year without an accident for the first time in the history of that mine, and the general superintendent attributed it to the operation of the law. When we first inspected those same mines they refused to admit an inspector, and I was obliged to send a second inspector—that is, a practical miner—to assist in the work

of inspection. On that inspection we condemned six of their mines and took the men out of them, and three of the mines fell in within two months after their condemnation. To-day they are working in safety; the old miners who had left the mines are all back in them.

Q. (By Mr. RATCHFORD.) What is the condition of the miners of your State as compared with men employed in factories?—A. I can only speak as to the rate of wages. There are no children employed in the mines of New York—not one. It is a character of work a child could not take hold of anyhow. The engineers, drillers, machine runners, etc., are the best-paid class of labor. The assistant to the machine runner gets \$2 and the machine runner \$2.50 a day, and the engineers get a like rate, or perhaps a little more. In the cement mines the minimum rate is \$1.50, and it runs from that to what you might term, perhaps, the skilled class of workers at \$2.50 per day.

Q. Is that for the picked miners?—A. For the picked miners \$1.75, \$2, and \$2.50.

Q. What is the sanitary condition of the mines?—A. Our reports show them to be very good. The salt mines are the deepest mines we have. One mine has a depth from the surface to the bottom of 1,550 feet; they have but one shaft, but they have a system of ventilation that is very perfect. They have a mine area of perhaps 28 acres, and down in the recesses of that mine they use candlelight, so you can see the condition is not bad. Our iron-mining business up to this year has been very poor.

Q. Are strikes more frequent among the miners of New York State than among other classes of labor?—A. I have no knowledge of conditions prior to my taking charge of the department, but since putting this law into operation, as I have already described, there has not been a strike in a mine in New York State.

Q. Have they a sliding scale to adjust wage differences?—A. They have no sliding scale that I am aware of.

Q. Is a price agreed on between the miners and operators?—A. That is as I understand it.

Q. Are they organized?—A. Not thoroughly, but fairly well organized.

Q. (By Mr. FARQUHAR.) Is nearly all the labor employed in the iron mines of the Champlain district American labor?—A. To some extent, but not fully.

Q. Is 50 per cent of it American labor?—A. I do not think so.

Q. What nationalities predominate among the foreign miners there?—A. They are Italians and Poles.

Q. Are they for the coarser labor?—A. Yes, sir, for the coarser labor. Under the operations of the mining law we also cause the dismissal of incompetent superintendents. When we represented the conditions under which they were working their mines, the operator of the Lawrenceville cement mine said: "We do not want any such condition in our mines." He called in the superintendent responsible for the mine work and asked him in the presence of the inspectors if these conditions were true, and he had to admit that they were, and he was discharged on the spot.

Q. (By Mr. RATCHFORD.) Do the laws of your State determine whether or not superintendents, mine foremen, and so on, shall have certificates of competency?—A. No, sir.

Q. Is their competency determined largely by the owners of the works?—A. By the owners of the mines. There was a provision in the law prior to 1897 requiring certificates of competency, but it was wiped out for the reason that it took the risk for accident off the employer.

Q. (By Mr. FARQUHAR.) In the operation of the factory laws of the State of New York during the last year or two, how many prosecutions have you entered for infraction of the law?—A. So far as the manufacturers are concerned, we have had none. Of bake-shop prosecutions I have had 16, and 1 (making 17) for a sweating contractor who hired children under age; so that last year (1898) we had 17 prosecutions, secured 12 convictions, 3 appeals, and collected about \$185 in fines.

Q. Is it your opinion that the factory laws of the State of New York are as near perfect as can be reached by legislation and regulation?—A. The present laws are fairly perfect. During 1898 we inspected 28,920 factories, aside from mines and bake shops. Of that number, 18,639 received orders of some kind in conformity with the law; 10,281 received no order of any kind on inspection. Of the 18,639 we received a full compliance with our orders from 18,403, leaving 236 only which had not complied when this report was closed. Since the report was closed we have received many compliances from these 236 places.

Q. In the pending legislation before the present legislature, are there any amendments to the laws regulating the factory and inspection systems of the State?—A. There are some bills before the legislature amending the factory law, but not in a material way, excepting the sweating law.

Q. (By Mr. NORTH.) Are the laws as they now exist generally satisfactory to

the operative class?—A. I probably could answer that question best by showing the number of complaints which have been sent to the department by the employees themselves. During the year 1898 we received from all sources in relation to all sections of the law placed under the department—bake shops, sweat shops, and manufactories and mines—289 complaints. That was a reduction over the year before of nearly 1,000 complaints. Of that number, 548 related to mines, sweat-shop work, and manufactories, and 41 to bakeries. Of the 589 complaints, 272 only were sustained upon investigation; so that, broadly, we received from a total employment of over 700,000 people in the State only 272 valid complaints as to violations of the law.

Q. Can you give the commission any information as to the spread of the system of factory inspection to other States?—A. I can only speak of that as treated in the International Convention of Factory Inspectors. In that body it is the unanimous desire to secure like laws in every State where it is possible to have them instituted.

Q. How many States in the Union have a system of factory inspection along the same general lines that are in New York, Massachusetts, and Pennsylvania?—A. My thought is, without looking it up, fourteen.

Q. (By Mr. RATCHFORD.) Are they as complete in the other States as they are in New York?—A. I do not know as to that. I think that the effort of the various departments is to bring about uniform laws in all the States. They are not uniform to-day on many important subjects. They are not uniform on child labor, hours of labor, and in very many respects; and the idea of the international convention and the object of its existence and the holding of its sessions is to agitate for the enactment of such laws in States not having them and the unification of those already in operation. At our last convention, held in Boston, it was there very readily agreed that after the next convention, which will be held in Montreal, the conventions of the association shall be taken South. That was done with a desire on the part of the inspectors from the States and the Provinces to treat fairly the manufacturers in the State where those restrictive laws exist and to try and do everything in their power to have like laws passed in States whose product comes into the market in competition with theirs.

Q. (By Mr. NORTH.) Can you tell us about the state of factory legislation in the Provinces?—A. While I know something about it, I do not know enough to say anything about it officially before the commission.

Q. Are their laws, as a rule, as far advanced as those of New York State?—A. I think thoroughly so; in some respects, I think perhaps a little better, but of course the same legal conditions do not exist there that exist in the States.

Q. They do not have the same legal obstacles?—A. No, sir. In my forthcoming report there are three recommendations coming from the national convention that I make special mention of. One is for the extension of the factory inspection department; another is for uniformity of factory laws; and a third is for restricted immigration. Those are the three points on which the delegates to the international convention agreed, no one dissenting.

Q. (By Mr. FARQUHAR.) Is the law in New York requiring large stores to have stools for the convenience of saleswomen enforced?—A. The mercantile law in the State of New York deals with that question and is entirely in the hands of the boards of health in the various cities to enforce. There is in that law a provision for seats for the employees in such stores, but I believe outside of the city of Buffalo there is not much of an effort being made to enforce it. I understand that the Buffalo health department has inspectors, and in New York they had 15 inspectors, but dismissed them all. I know that the law is practically a dead letter.

WASHINGTON, D. C., March 9, 1899.

#### TESTIMONY OF MR. JAMES CAMPBELL,

*Chief Factory Inspector of the State of Pennsylvania and ex-president Glass Workers of America.*

The commission met at 10 a. m., March 9, 1899. Vice-Chairman Phillips presided and introduced the witness, Mr. James Campbell, chief factory inspector of the State of Pennsylvania. The syllabus on the conditions of labor and capital employed in manufactories and general business was followed in the examination.

Q. (By Mr. NORTH.) How long have you been chief factory inspector?—A. Four years February 2, 1899.

Q. Who was your predecessor?—A. Robert Watchhorn.  
Q. How long has the position of factory inspector existed?—A. The law was enacted in 1889.

Q. (By Mr. SMYTH.) Referring to question No. 1, have you any information to give on that subject?—A. Among the window-glass workers of the United States, before they were thoroughly organized, wages in the different factories and in different sections were paid as the employers saw fit. In 1878 the workers themselves came together and formed a national organization, known as Local Assembly 300, Knights of Labor. After they organized they established a uniform rate of wages throughout the United States. A firm in Kent, Ohio, objected to the list and imported labor under contract. A firm in Zanesville, Ohio, imported another set of men—brought a complete set of men into the work. A firm in Illinois did the same thing. The organization, through their attorney, E. E. Cotton, employed one of the best attorneys in the country—Benjamin F. Butler, of Massachusetts—and they drew up the first contract-labor bill that was presented to Congress, and through that the contract-labor law was enacted.

Q. (By Mr. NORTH.) In what year was that?—A. I can not recall the year. I think it was 1883. The bill was presented through the general assembly of the K. of L. in Cincinnati. I will not be positive as to the date, but it was along in those years. The organization got hold of a copy of the proceedings of the manufacturers' organization held either in New York or Atlantic City. I do not remember the place now. They had agreed in their organization to pay \$30 a head for every glass worker imported into this country, and inasmuch as they were importing them, we started in to head them off, and through the law enacted by Congress we did so. Before the workers were thoroughly organized there were many places in which the men got very little money. They were paid mostly in store goods. In some places it was an exception to the rule when they got money. Wages were different in different localities, and the result of the organization was that the manufacturers and workmen came together and made a year's contract for wages, and that contract has always been lived up to on the part of the manufacturers to the letter, and it has been lived up to by the workmen. Prior to the workmen being organized there would be strikes during the year. The method of running the window-glass business is to start on the 1st of September and run up to the 1st of July—ten months. When business would revive a little the men would go on a strike. They would have frequent trouble. Business would become depressed and the manufacturers would stop the works. But after the organization was thoroughly established, and a uniform rate of wages maintained throughout the United States, there was very little trouble. When the organization first started, the initiation fee was \$1.50. The dues were \$4.20 per year. The initiation fee, when I left the organization as president, in 1889 or 1890, had been run up to about \$3. The workmen paid an assessment of 1 per cent on their earnings and established a large fund, and they had absolute control of every factory in the United States. There was not a nonunion window-glass factory in the United States, and they practically had control of the business; and the manufacturers, so far as I know, and I was president of the organization for over three years, were satisfied with the organization.

Q. (By Mr. FARQUHAR.) What became of the contract laborers that had been brought into these factories?—A. We absorbed them into the union.

Q. (By Mr. NORTH.) Was everybody employed in every window-glass factory in the country a union man at the time?—A. Yes. No one was allowed to work steadily unless he became a member of the organization, and it had complete control of the trade.

Q. (By Mr. PHILLIPS.) Have they complete control to-day?—A. They have, to-day.

Q. (By Mr. FARQUHAR.) When you say complete control, do you mean in respect to your scale of wages?—A. I mean absolute control of the trade in so far as regulating the hours and trade matters. They worked forty hours a week in the blowing department. In the other trades the work was of a different character, but in the blowing department it was forty hours a week.

Q. Is there any particular trade reasons why these hours were so much less?—A. They could produce enough in that time to be a fair week's work.

Q. (By Mr. NORTH.) Is it exceptionally hard and trying work?—A. Yes. When I say that we had absolute control, I mean in respect to the employment of members of the organization, regulating apprentices, and trade matters. The manufacturers and our committee would meet and draw up scales and go over it, and it was agreed to. Of course, there were certain laws and rules and trade regulations that we had adopted that we would not allow them to interfere with.

Q. (By Mr. FARQUHAR.) Was the general submission on hours and the wage scale?—A. We would give and take, and not insist on everything coming our way.

Q. Have you in the organization what the old unionists in this country called the customs of the craft?—A. Yes.

Q. Were these the principal contentions you thought ought not to be submitted to the manufacturers?—A. Yes; what we called the trade matter was this: I was a blower and I considered that as my capital, and the employer had no right to tell me whom I should teach.

Q. (By Mr. NORTH.) Have you the apprenticeship system in the glass trade?—A. Yes.

Q. What is the proportion of apprentices?—A. The rules were from 10 to 20 per cent; that would be for those outside of the organization. Every member had the right to teach his own son.

Q. Did you have the indenture system?—A. Only in the organization. The apprentice was apprenticed to the member and was his apprentice.

Q. Did you pay him more or less according to the arrangement you made with him?—A. As a rule they did not get much, but as soon as they were competent to fill a journeyman's place they went to work. They were generally indentured for three years, but if the trade was of such a nature that the boy or apprentice was taught in two years, or sooner, and the trade needed him, the master workman would release the apprentice and he would go to work and receive journeyman's wages. No one was allowed to make a profit off of an apprentice.

Q. Does that plan probably still exist?—A. Yes.

Q. Is it but little different from the apprenticeship system as it exists in any other industry?—A. So far as I know.

Q. (By Mr. FARQUHAR.) Did you ever have any trouble with the employers in respect to the selection of apprentices?—A. When the organization started to regulate the apprenticeship system they objected some, but they submitted, because we had the power in our hands through the organization.

Q. Is there any exclusion, on the part of the union, of the sons and relations of employers?—A. That is not true. I can recall a case at this time of one of the largest glass manufacturers in the country. His son learned the trade and is now working, and is a member of the organization.

Q. (By Mr. NORTH.) You have no unskilled labor in your trade?—A. All skilled labor.

Q. Do you care to say anything in reference to strikes in that industry?—A. Before the glass workers were organized we came together as workmen frequently do and decided to strike; we always got the worst of it, and in the end submitted to the manufacturers' terms, unless business would be of such a nature that the profits would induce them to give what the men were asking for. I knew of but one instance in 35 or 40 years when the manufacturers asked for a reduction of wages and failed to get it. After the organization was formed they were not able to reduce wages unless the workmen were willing to accept it. There were three districts—the western district, the eastern district, and the northern district. The western district was composed of factories west of the Allegheny mountains, the eastern district took in New Jersey, and the northern district took in the northern part of Pennsylvania and New York State. We allowed a difference of 10 per cent to the eastern and northern districts on account of their being close to the seaboard, where they came in direct competition with foreign importation. In 1882 or 1883 we had a strike in the eastern district and won, but we spent a good deal of money. The members working were assessed from 5 to 15 per cent to keep those on strike. Then in the next year the western manufacturers tried to reduce wages and another strike followed and the workmen won again.

Q. In all districts?—A. They did not make a universal demand in every district. It would be one district and then another. The organization had funds and the men who were working would contribute to support those on strike, and by that means we won out; in fact, up to the time I left the organization, and since, it has never met one real defeat. In 1882 the tariff commission recommended a reduction of the tariff, and on that recommendation or on that reduction the business became depressed, and the organization accepted a 10 per cent reduction in wages. As a rule, the manufacturers treat the workmen very well and the organization reciprocates.

Q. Did they try to supply your places?—A. They could not. There was nobody else to supply them.

Q. (By Mr. FARQUHAR.) Is it a fact that your scale of wages and arrangements with the proprietors are conditioned considerably by national tariff legislation?—A. When there is tariff agitation there has always been a clause inserted in the scale that in case of a reduction of the tariff there will be a rearrangement of the wages.



Q. Is that agreed to by both parties?—A. That has always been the case when there is any agitation on the tariff subject. If there is an advance the workmen get an advance.

Q. What are the relations between the employers now and the employees in your whole industry?—A. I have not been in close touch with the organization lately. There have been some internal dissensions in the organization, and there has been a split from the present organization. Instead of one organization there are now three, and there appears to be some dissatisfaction among them. I do not know whether they are all mixed in it or not, but there is dissatisfaction. It does not affect wages at present, but sooner or later it will. It is very unfortunate.

Q. (By Mr. PHILLIPS.) Would the proprietors dispense with your organization or organizations if they could?—A. My judgment is that if it were left to the manufacturers to-day, unless they have changed since I knew about them, they would vote to continue it because of the fact that prior to the organization wages were so different. One place would pay one scale and another place another one. Now that they have an even scale, every manufacturer knows what his neighbor pays, and they prefer to have it that way.

Q. (By Mr. NORTH.) Does it make competition easier?—A. That is it.

Q. Do you care to say anything about the experience of your organization with arbitration?—A. We never had any arbitration.

Q. (By Mr. FARQUHAR.) Have you the picketing in your organization?—A. He has to employ the members of the organization or he can not run.

Q. The picket does not exist at all, then?—A. No.

Q. (By Mr. NORTH.) Have you a weekly payment law in your State?—A. Prior to the organization some men were paid a certain amount a week, a small amount, and at the end of the year they were paid off in full. In some places very little money was paid; in many places stores were run in connection with the works. In the agreement with the manufacturers they pay so much a week, according to the wages earned by the workmen of the different trades, and every four weeks they are all paid in full. Of course, that is regulated by the trade and not by law. We have a semimonthly pay law in the State of Pennsylvania.

Q. (By Mr. FARQUHAR.) Does the State law demand that the payment shall be in cash?—A. Yes; the semimonthly pay law of Pennsylvania requires, first, that the workmen must make demand for their pay semimonthly. Then if it is refused it becomes the duty of the factory inspector to prosecute the one who violates it. There are more firms in the State of Pennsylvania that pay weekly than pay semimonthly.

Q. (By Mr. NORTH.) Are store orders prohibited by law?—A. Company stores are prohibited, but they are still running under a different system. They are run now under the names of union supply companies. It is a pretty hard matter to make a law that somebody can not get around.

Q. Who owns them?—A. The law in Pennsylvania prohibits any man who is in a company or corporation from owning or having any stock in a store where the men that work for the corporation trade, but their sons and their nephews and different people will organize a company and get a charter as a union supply company, and they start up.

Q. Do they force their men to contribute?—A. They do not say to a man that he must buy there, but the man who does not buy much does not stay long; work becomes scarce.

Q. (By Mr. RATCHFORD.) Is the store law of Pennsylvania, so called, really operative in that State at the present time?—A. My judgment is that it is not.

Q. (By Mr. NORTH.) Do you mean that it is indirectly violated?—A. That is what I mean. Last year we put questions in the inspection books of the deputies to ask each firm, when they made the inspection, relative to the way they paid their men, in cash, and whether weekly or monthly.

Q. Or in store orders?—A. Or orders. There were quite a number of firms that refused to answer the questions for some reason. We could not compel them, because it was an innovation on our part. We wanted to get at this particular inspection. The results of our inspection in the factories replying showed 958 establishments that paid monthly, 1,946 that paid semimonthly, 3,992 that paid weekly. In the sweat shops 11 paid monthly, 38 semimonthly, and 1,183 weekly. In the bake shops there were 38 paid monthly, 18 semimonthly, and 1,967 paid weekly.

Q. (By Mr. RATCHFORD.) Do you know of any class of labor in your State offering its services at a less rate per day or per ton in consideration of cash payments?—A. I do not personally know anything of the kind. I know that has been stated, but whether it is true I do not know.

Q. (By Mr. NORTH.) What class of people trade at these union supply stores?—A. Principally miners. No class of men in the world is imposed upon as greatly as are the miners of this country.

Q. How are they imposed upon?—A. A large corporation will open a mine and will own all of the ground and everything surrounding it. No outsider can go there. They own all the houses, everything practically, and their friends or relations, or somebody connected with them, will start a store. The investigation made by the factory department, ordered by Mr. Watchorn, whom I succeeded, showed that the union supply, or what are known as company stores, charge from 25 to 40 per cent more for the same articles than independent stores do in the same district.

Q. (By Mr. FARQUHAR.) Is the fact that these are book accounts another disadvantage?—A. Yes.

Q. Are the ignorant totally unable to know what the charges are and how they are made?—A. That is correct. They go to the store and buy the goods. The company will cash the account of the miner.

Q. (By Mr. NORTH.) Is there any way of reaching this practice by law?—A. I do not know about that. They have tried a number of laws. In 1897 the legislature passed a law taxing stores of that kind, I think, either at 10 or 20 per cent on their receipts, and Governor Hastings vetoed it on the ground that it was unconstitutional.

Q. (By Mr. FARQUHAR.) If they had taxed their receipts 10 per cent would it have been taken out of the employee?—A. The governor said that. He said, in his judgment, first it was unconstitutional, and, second, it would rob the miner. That was the position he took.

Q. (By Mr. PHILLIPS.) Have you in mind any law that would meet that question?—A. It is a very hard matter to enact any law that somebody will not get around in some way. The best lawyers of Pennsylvania, or those who are said to be the best lawyers, drew up this bill, and they claimed it would remedy the evil. My honest opinion is that the only remedy is for the men to organize and stand together and refuse to go to a place of that kind and deal. That is the only way it will ever be entirely remedied. When they do that they will remedy that evil, and not before.

Q. (By Mr. NORTH.) Are the mines of Pennsylvania under your jurisdiction also?—A. No.

Q. Is there a separate mine inspector?—A. Yes.

Q. How do wages compare now with, say, ten years ago?—A. They are better than they were at that time. I do not know what per cent of improvement has taken place.

Q. Were they ever better than they are to-day?—A. In my judgment wages are better now than they ever have been, considering the purchasing power of money, in the glass-workers' trade.

Q. Is that due largely, in your judgment, to the influence of organized labor?—A. Organized labor and a protective tariff.

Q. What is the increase or decrease in the number employed in your industry?—A. The increase has been very large, due to the finding of natural gas. In 1880, I think, we had in this country in operation about 800 pots, as we call them. That represents one blower. To-day my judgment is that there are in the neighborhood of 2,400.

Q. Has improved machinery affected the number of employees in your industry?—A. There is no improved machinery in the blowing of glass. There has been quite an improvement made in the flattening, in the method of working; but there has been no machinery by which common window glass could be blown.

Q. Are women or children employed in your industry?—A. No women.

Q. Are children employed only when serving as apprentices?—A. That is all.

Q. Is there great irregularity of employment in your industry?—A. Prior to the Wilson bill the work was very regular. After the passage of the Wilson bill the work has been very irregular.

Q. What has been the average number of working days in your industry?—A. The rules of trade, which are agreed to by both sides, provide that work shall commence the 1st of September and run until the last day of June. Prior to the passage of the Wilson bill they would work nine and a half to ten months. The number of days varied. One firm might run a week or month longer than another.

Q. Do you have Sunday labor in your trade?—A. No; that is, so far as the skilled labor is concerned.

Q. What are your reasons for believing in the shorter workday?—A. There is one thing I would like to add: Unskilled labor in the glass factories gets a better

wage scale on account of the skilled workmen being organized. It would be well to have a shorter day's work. The working people could then inform themselves better on the great economic questions that are now agitating the public, and there is no doubt that they would make better citizens, and that can only be done when they have time to read and time to think and do not have to work so many hours.

Q. What is your idea of a proper working-day?—A. That depends entirely upon the trade. I think that should be a matter to be regulated by the trades themselves.

Q. (By Mr. FARQUHAR.) In your own trade, what are the regulations now?—A. Forty hours a week.

Q. (By Mr. NORTH.) Is that the lowest of any industry in the country?—A. Yes; it is very hard labor, and they can make a good week's work in forty hours.

Q. (By Mr. STIMSON.) Do you think it is possible for the trades to get a shorter workday without legislation?—A. I certainly do, if they are properly organized.

Q. (By Mr. KENNEDY.) Do you believe that the influence of the National Government, in enacting an eight-hour workday on public works, has a great influence on the shorter workday among the trades in the country?—A. I certainly do, and it ought to be enacted and carried out.

Q. Would a shorter workday on State and municipal works have the same good influence?—A. I give the same answer as I did to the other question.

Q. (By Mr. FARQUHAR.) Has all the progress in the direction of the shorter workday come from organized labor?—A. I speak for my own trade. The only way we got it was through our organization. Prior to that we worked as they told us.

Q. Do you think that all the organized labor of the country have shortened their hours through their own efforts?—A. Yes.

Q. (By Mr. KENNEDY.) Was it through the influence of organized labor that the shorter workday has been secured from the National Legislature and from State legislatures?—A. Yes.

Q. (By Mr. RATCHFORD.) Do you believe that an aggressive policy on the part of the trades unions promotes the interests of the tradesmen more than a sound, conservative, and reasonable policy on the part of the trades leaders?—A. I was three years a member of the general executive board of the Knights of Labor. I was on the wage committee of the glass-workers' union for a number of years. I was almost four years president of the organization. I have been four years in the factory department. My judgment is that with wise, judicious, careful, conservative action on the part of the leaders of an organization, they will accomplish more good than going to a fellow and knocking him down and telling him, "You have got to do as I say."

Q. Do you believe in mutual concessions when necessary; mutual agreements between employer and employees?—A. Yes; that is the only way to accomplish good results.

Q. Do you believe in avoiding strikes wherever possible?—A. Yes.

Q. (By Mr. NORTH.) Do you believe that capital and labor are enemies?—A. They certainly are not; they are reciprocal, and should be looked upon and treated as such, and when they do that they will get along.

Q. (By Mr. FARQUHAR.) Is it a fact that in the early organizations of trade unions in this country, at least up to about the year 1870, they never would have gained anything either on wage scales or hours of labor unless they had been aggressive?—A. At that time it was necessary to be aggressive. We are in a progressive age, and people have become better educated, and the trend of public sentiment now is to organization.

Q. (By Mr. NORTH.) We will now turn to your duties as inspector. Will you give concisely a statement of the law relating to sweat shops; what you have done to enforce the law in Pennsylvania, and what the situation is there?—A. The first sweat-shop law was enacted in 1895, and, after consulting with a large number of clothing manufacturers with reference to its enforcement and expressing a desire for their cooperation, they heartily approved the suggestion and many of them have rendered valuable service. The law was amended in 1897, requiring those giving out work to demand a permit from the factory-inspection department, showing that their shops or houses had been inspected and was in proper sanitary condition. The large contractors in giving out their work have required the permits. The subcontractor has made the trouble in the enforcement of the law, and through that means clothing is made in vile places. If the subcontractors would insist upon the permits being produced before giving out the work the evil would be remedied. The work is done principally by Italians and Russian Jews. I have found them to be very industrious workers, but there is no reliance to be placed in anything they tell you.

Q. Is the law the same as in New York and Massachusetts?—A. I do not know what the New York law is. I think the New York law does not give them the right to inspect families or give out permits to family workers. I will not be positive, but that is my impression. The giving out of work to these people pronisiously, without a permit, results in the work going into bad places. But there is no law that is harder to enforce than the sweat-shop law, from the fact that it is a business that almost anybody can start into without any money.

Q. Have you a good deal of it?—A. There is not very much—probably twenty thousand or more in the State.

Q. Mostly in Philadelphia?—A. Yes, and Pittsburgh; principally in Philadelphia. A man is running a nice shop and has everything in good sanitary condition; some one working for him desires to be a boss himself. The man he is working for is getting his work from one of the large clothing manufacturers, and is paying a dollar apiece for making coats. He will go to the manufacturer and say, "I will make those coats for 75 cents apiece," and he gets a contract. He rents four or five sewing machines. A shipload of immigrants of his own countrymen come in, and he hires them at his price, rents a vile place, and starts to work, setting the price of making coats and wages of the workmen. The result is that in that kind of work wages are reduced.

Q. (By Mr. FARQUHAR.) Does the product of the sweat shops go into all classes of retail houses in the city of Philadelphia?—A. There is no doubt about that at all; not only in Philadelphia, but all over the United States where goods are sold of that character.

Q. (By Mr. KENNEDY.) Do you know anything of vermin being found on clothing made in sweat shops?—A. Last September I was in Philadelphia, and one of my deputies said to me, "Mr. Campbell, I find that there is a lot of soldiers' clothes being made here and they are made in places that are filthy and dirty. Has the State any right to interfere?" I said: "The State of Pennsylvania has the right to regulate the manufacture of goods in this State, and the United States has no right to come here and violate the law. You get after them." He went to the arsenal and saw Major Bingham, who has charge of the United States arsenal, and explained the matter to him, and Major Bingham agreed that he would give work only to those places that complied with the law. We followed up work that had been where diphtheria was, and went from the house to the arsenal and explained to Major Bingham where they were made. I saw a table almost as big as this room covered with clothing that was full of vermin and dirt, and Major Bingham would not accept it. Through the efforts of the department there has been quite a shaking up and cleaning out, and the clothes are now being made under better conditions.

Q. On the whole, have you the sweating business pretty well regulated in Philadelphia?—A. I do not think anybody can regulate it. It is a very hard matter to regulate as long as immigration comes in and people rent a few machines and start up a shop. There is no law that is not violated more or less. I believe if the law we have asked for is passed we will have the ideal sweat-shop law.

Q. (By Mr. NORTH.) Have conditions improved?—A. No doubt about that; but they cannot be wiped out, for the reason that the inspector will inspect a shop, and find it in proper sanitary condition, and in compliance with law. At the next inspection, which may be in a very short time, conditions are reversed; the place is vile and unfit to work in. When a shop is in proper sanitary condition we are required to issue a permit. When the inspector finds a shop that is in an unsanitary condition and conducted in violation of law the one giving out the work is informed of it, and he will withhold work from such places until the law is obeyed. By that means we are able to enforce the law and avoid prosecution.

Q. (By Mr. SMYTH.) How often do you make the inspection?—A. We can go in every day if we want to.

Q. (By Mr. NORTH.) Do you revoke licenses?—A. Yes. My opinion is that if the department had the right to confiscate goods made in unclean, unhealthy, and filthy places, and burn them, it would not be very long before the people that do the work would be driven out, shops of better sanitary conditions established, and there would be less of filth and dirt and breeding of disease in this country. We are asking for a law to give us the right to confiscate and destroy such goods. In New York the board of health has that right.

Q. (Addressing Mr. Daniel O'Leary, factory inspector of New York State, who had previously testified.) Will you tell the commission what you think of that proposition?

Mr. O'LEARY. I think that the suggestion of the confiscation of goods would be all right where it was found that contagious disease was present in the room or rooms connected with the rooms where the work was being done; but if it is a

matter of some trouble, that would not endanger the public health I do not think that any man's property ought to be confiscated or destroyed; that is, if there was any other way to clean it and make it fit for public distribution.

Q. Would you confine the power of confiscation to the factory inspector or to the board of health?

Mr. O'LEARY. Our law gives the board of health the whole confiscation business. Q. Would you favor giving the board of health power to confiscate clothing made under unsanitary conditions?—A. (Mr. Campbell, resuming his testimony.) No; I want the factory inspector to enforce the law and nobody else. I do not believe in a division of authority.

Q. Do you recognize a constitutional objection to your theory which would not apply to Mr. O'Leary's plan?

Mr. CAMPBELL. Of course, there may be; at the same time if this inspector goes into a shop to-day and finds a lot of clothes there infected with fever or diphtheria or other diseases, as we have found now and then in different places, by the time we notify the board of health where would those goods be? They might be removed. The proper one to confiscate them, in my judgment, is the man who sees and knows them; not one who has to act on what some man tells him.

Q. Suppose you had the power to impound those goods pending action by the board of health?—A. I do not want any division of my work. If I am doing things, I want to do them. I realize that the Constitution may stand in the way of something of that kind. My judgment is that under the sweat-shop law we will have more or less trouble until we have that authority. I recommended that in my report last fall. It had a very salutary effect in many of the shops throughout the State.

Q. (By Mr. KENNEDY.) Can you tell the commission something about prices of army goods made in sweat shops?—A. They have a list at the Philadelphia Arsenal, which they furnished the department, of 3,000 soldiers' widows to whom the work is given. The Government fixes the price, which, I think, is 75 cents for infantry and \$1 for cavalry pants. They exact good prices. On our investigation we found a number of cases in which one woman would come to the arsenal with three cards, representing that many widows, and get three appointments. She would take them to the sweating district and let them out for 30 cents a pair, and take them back to the arsenal and get 75 cents. We found more than one case of that kind. In fact, three widows were not represented. There was a manipulation in some way Mr. Bingham could not account for, but it was done. Mr. Bingham's inspection is regulated for the purpose of giving the work to the actual soldiers' widows.

Q. (By Mr. PHILLIPS.) Are all those places inspected?—A. Yes; we are after those places now. There is a list of 3,000 names furnished to the department, and we have about completed that list now.

Q. Do you find most of them in good condition?—A. Yes.

Q. (By Mr. FARQUHAR.) How much dwelling-house manufacturing is done in Philadelphia?—A. Last year, I think, we inspected about 2,500 places; there will be more this year.

Q. Is the dwelling-house manufacturing there more satisfactory to the inspector than all others?—A. Not always.

Q. You have the privilege of investigating all the dwelling-house as well as the general manufacturing there?—A. A man runs a shop and has a lot of women working for him at their homes. The law requires that the family workers should have a permit from our department. They say to the inspector, "Mrs. So-and-so wants to work for me; you inspect her home." The inspector goes there, and if her house is in a clean and proper condition a permit is issued.

Q. Can work in the dwelling house be done by persons not belonging to the family?—A. No.

Q. (By Mr. KENNEDY.) Have you any difficulty in the enforcement of that law because of the practice of having goods made in sweat shops in States adjoining Pennsylvania?—A. A good deal of work is done in New Jersey. I do not know whether they have a sweat-shop law in New Jersey.

Q. (By Mr. NORTH.) How many employees have you in your department?—A. The office force is as follows:

Q. How many of those are inspectors?—A. Twenty.

Q. Is that enough to do the work committed to you?—A. Yes.

Q. What is your annual appropriation?—A. Forty thousand dollars.

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Q. Into how many districts is Philadelphia divided?—A. Eight, and three in Allegheny County.

Q. Do you have many prosecutions under the inspection laws?—A. Very few.

I have been in the department four years and most of the prosecutions we have had were of the bake shops.

Q. In the factories proper?—A. In the factories proper, I think, there have only been about four or five in four years. I adopted this rule when I went in: Where we found a violation, we notified the operator, and then warned him that if it were repeated we would prosecute him. The department is not a revenue maker, nor is it a persecutor; and it should not be. The object is to promote the general health of the employees and the safety of their lives and limbs.

Q. Did you have any convictions?—A. We did not carry them beyond the alderman's office. The operators signed an agreement to comply with the factory law and on that agreement the suits were discontinued.

Q. As a rule, do the manufacturers comply cheerfully?—A. Yes.

Q. Do you have many complaints of noncompliance with the requirements of the law?—A. Very few. Once in a while there is a complaint of some violation, but very few, considering the large number of people affected.

Q. Will you give us your idea as to the sufficiency of the existing labor laws of Pennsylvania for the protection and well-being of the operative class?—A. The fact that I am not this session asking for any legislation, except what I have referred to relative to sweat shops, is evidence that I think the present law is very good.

Q. Do you think the law goes as far as necessary?—A. At the present time; yes.

Q. Do you think that the employees generally would agree to that view?—A. I think so; I have heard of no complaints. This law has been in force but two years, and I do not believe in changing it unless something better can be offered.

Q. What is the age limitation in Pennsylvania for children working in factories?—A. Thirteen.

Q. Do you think it should be changed?—A. My judgment is that 13 years is where it should stop.

Q. Do you think that a uniform age in all contiguous States is desirable?—A. I think so.

Q. Would it not be better for Pennsylvania to have a law uniform to those of New York and Massachusetts, which fix the age limit at 14 years?—A. There may be some truth in that, but under our law, when between 13 and 16 years of age, they must have a certificate from their parents or guardian showing that they are over the age of 13 and are able to read and write the English language. If they have not that, they are not employed.

Q. If they can read and write, can they be employed at a younger age?—A. Not below 13. I find that some employers through the State have taken this position: As they are required, when employing children under 16, to have a certificate and keep a register showing when they were employed and when they left their employ, they will not employ anybody under 16 years of age. In 1889, when the factory law was first enacted, the department could make an inspection only where there were 10 minors or 10 women or 10 of both. The first year's inspection showed that there were employed in the State of Pennsylvania, subject to factory inspection, 377,000 employees, I think. Out of that number there were about thirty-two or thirty-three thousand minors between the ages of 12 and 16. The first law that was enacted fixed the age limit at 12 years; prior to that there was no limit. In 1893 the law was amended so that inspections could be made where there were 5 minors or 5 women or 5 of both. In 1897 the law was passed allowing us to inspect any place where men, women, or children were employed. Last year, out of 308,543 employees, there were, I think, about 30,000 children. That certainly demonstrates that the factory law has removed a number of children out of the shops and factories, and they are now attending school.

Q. What was the proportion of women among the 500,000 employees?—A. The whole number employed is 308,543; males subject to factory laws, 377,382; females subject to factory laws, 131,161; between 16 and 21, 82,834; males between the ages of 13 and 16, 15,872, and females, 14,011.

Q. Is the number of children in the factories decreasing?—A. In my judgment it has decreased since the law went into effect. But the fact is, within the last year and a half there have been a number of new silk mills built in Pennsylvania, and a number of tin mills and flint-glass and bottle works; and children are employed in all of those industries, and by that means, while it somewhat increases the number of children, the increase of adult labor is much larger.

Q. (By Mr. FARQUHAR.) Is your statement to the effect that, while there may be fewer children employed in the factories of Pennsylvania, more are employed in the whole State than formerly?—A. There are fewer in proportion to the whole number of employees, yes.

Q. But actually a greater number?—A. Yes.

Q. (By Mr. NORTH.) Is the employment of women in factories sufficiently regulated in Pennsylvania?—A. Yes.



matter of some trouble, that would not endanger the public health I do not think that any man's property ought to be confiscated or destroyed; that is, if there was any other way to clean it and make it fit for public distribution.

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Q. Did you have any convictions?—A. We did not carry them beyond the alderman's office. The operators signed an agreement to comply with the factory law and on that agreement the suits were discontinued.

Q. As a rule, do the manufacturers comply cheerfully?—A. Yes.

Q. Do you have many complaints of noncompliance with the requirements of the law?—A. Very few. Once in a while there is a complaint of some violation, but very few, considering the large number of people affected.

Q. Will you give us your idea as to the sufficiency of the existing labor laws of Pennsylvania for the protection and well-being of the operative class?—A. The fact that I am not this session asking for any legislation, except what I have referred to relative to sweat shops, is evidence that I think the present law is very good.

Q. Do you think the law goes as far as necessary?—A. At the present time; yes.

Q. Do you think that the employees generally would agree to that view?—A. I think so; I have heard of no complaints. This law has been in force but two years, and I do not believe in changing it unless something better can be offered.

Q. What is the age limitation in Pennsylvania for children working in factories?—A. Thirteen.

Q. Do you think it should be changed?—A. My judgment is that 13 years is where it should stop.

Q. Do you think that a uniform age in all contiguous States is desirable?—A. I

Q. Would it not be better for Pennsylvania to have a law uniform to those of New York and Massachusetts, which fix the age limit at 14 years?—A. There may be some truth in that, but under our law, when between 13 and 16 years of age, they must have a certificate from their parents or guardian showing that they are over the age of 13 and are able to read and write the English language. If they have not that, they are not employed.

Q. If they can read and write, can they be employed at a younger age?—A. Not below 13. I find that some employers through the State have taken this position: As they are required, when employing children under 16, to have a certificate and keep a register showing when they were employed and when they left their employ, they will not employ anybody under 16 years of age. In 1880, when the factory law was first enacted, the department could make an inspection only where there were 10 minors or 10 women or 10 of both. The first year's inspection showed that there were employed in the State of Pennsylvania, subject to factory inspection, 267,000 employees, I think. Out of that number there were about thirty-two or thirty-three thousand minors between the ages of 12 and 16. The first law that was enacted fixed the age limit at 12 years; prior to that there was no limit. In 1883 the law was amended so that inspections could be made where there were 5 minors or 5 women or 5 of both. In 1897 the law was passed allowing us to inspect any place where men, women, or children were employed. Last year, out of 308,543 employees, there were, I think, about 20,000 children. That certainly demonstrates that the factory law has removed a number of children out of the shops and factories, and they are now attending school.

Q. What was the proportion of women among the 500,000 employees?—A. The whole number employed is 508,543; males subject to factory laws, 377,882; females subject to factory laws, 131,161; between 16 and 21, 82,894; males between the ages of 13 and 16, 15,372, and females, 14,011.

Q. Is the number of children in the factories decreasing?—A. In my judgment it has decreased since the law went into effect. But the fact is, within the last year and a half there have been a number of new silk mills built in Pennsylvania, and a number of tin mills and flint-glass and bottle works; and children are employed in all of those industries, and by that means, while it somewhat increases the number of children, the increase of adult labor is much larger.

Q. (By Mr. FARQUHAR.) Is your statement to the effect that, while there may be fewer children employed in the factories of Pennsylvania, more are employed in the whole State than formerly?—A. There are fewer in proportion to the whole number of employees; yes.

Q. But actually a greater number?—A. Yes.

Q. (By Mr. NORTH.) Is the employment of women in factories sufficiently regulated in Pennsylvania?—A. Yes.

Q. Do you think this employment under the present conditions is detrimental to the health of women, as a rule?—A. No.

Q. Do you approve of a law forbidding the employment of women prior to confinement?—A. I certainly do.

Q. Would it be practicable to enforce such a law?—A. That would be pretty hard to get at.

Q. Is there a system of compulsory education in Pennsylvania?—A. We have a compulsory education law in Pennsylvania.

Q. Is it enforced?—A. There are truancy officers who enforce it. The truancy officers and the factory inspection officers work together. If a child leaves school under age it is reported to the factory department, and we look him up and send him back to school.

Q. Are the school facilities sufficient for all the children affected by the compulsory education law?—A. The claim is made in Philadelphia that they have not sufficient schoolhouses there. I do not know whether that is true or not, and I would not like to testify.

Q. Are free text-books provided in Pennsylvania?—A. Yes.

Q. Is the law regulating the sanitary condition of mills in Pennsylvania strictly enforced?—A. Yes, the orders of the department are complied with.

Q. Are there many accidents in the mills?—A. Last year over seventeen hundred accidents were reported to the department, and most of them happened in and around big iron and steel mills in handling the iron.

Q. Is there an employers' liability law in Pennsylvania?—A. No.

Q. (By Mr. FARQUHAR.) When was the law regulating bakeries passed in the State of Pennsylvania?—A. In the session of 1897. There is one thing I would like to say in reference to child labor. In 1891 the law passed, covering all establishments that employed men, women, and children, requiring all children to be able to read and write the English language. The law went into effect on January 1, 1898. I instructed the deputies, when on inspection tours, to notify all the employers of child labor that after January 1 they could not employ any children unless they were able to read and write the English language. The first year's work showed that 149 children were dismissed, being unable to read and write the English language, out of the total number of about 30,000.

Q. Do you have any political interference with the administration of your department?—A. Not very much. It has never interfered with the proper administration of the law.

Q. (By Mr. RATCHFORD.) In view of our present labor-saving machinery, what effect has the employment of children on the wages of adult labor?—A. There is no doubt it has some effect.

Q. You believe it has an injurious effect?—A. There is no doubt of it at all in my mind.

Q. That being the case, should children be deprived of the right to work in the factories and mills until they have reached a higher age than 13 years?—A. No; I do not believe they ought to be prohibited. For instance, we must have hewers of wood and drawers of water, as well as professional men. There are many trades that children learn in which they have to have a natural knack in the use of their hands which, when they get older, they can not acquire. I believe, as I said before, that 13 years of age is sufficient. I think there should be a medical examination, because there are some children more able to go to work at 13 years of age than others would be at 16.

Q. (By Mr. FARQUHAR.) Do you believe that the ease with which labor-saving machinery is worked brings into the operating department of the factories child labor for the displacement of adult labor?—A. There is no doubt it has an effect in that direction. But unless you go into the matter and make a thorough investigation, it would be hard to answer a question of that kind.

Q. (By Mr. NORTH.) Is it your observation that notwithstanding the greater producing capacity of machinery, the number of people employed is constantly increasing?—A. Yes; that is true, too. In our State the manufacturers in all the industries have, as far as they could, increased their capacity, and new industries have been springing up very rapidly during the last year.

Q. (By Mr. KENNEDY.) What force or influence brought about the enactment of industrial legislation such as, for instance, the factory inspection laws, sweatshop laws, shorter working days on Federal, State, and municipal works, regulating child labor, etc.?—A. Through the efforts, first, of organized labor of every description, and those in sympathy with it, such legislation has been brought about.

Q. (By Mr. FARQUHAR.) When was the law regulating the bakeries passed?—A. It was passed in the session of 1897.

Q. What is the effect of its operation?—A. Very good.

Q. Have you had trouble at all in enforcing it?—A. The only trouble we have had in the enforcement of the bake-shop law was in relation to its Sunday provision.

Q. Was the condition of bake shops in the great cities of your State such that this law had to be enacted?—A. Not only in the cities, but all over the State.

Q. Have you very strict regulations relating to sleeping apartments about the bakeries?—A. The law prohibits men sleeping in the shops, as we found them doing in many instances, especially in the small shops. The large bakeries throughout the State were in good condition. They had come under the factory law as manufacturers. I am sure if people had seen the condition of many of the smaller ones they would not have bought the bread.

Q. (By Mr. PHILLIPS.) How many hours are the men worked in those bakeries now?—A. There is no law limiting it. Under the constitution of the State of Pennsylvania you can not prohibit a male adult from working as many hours as he wants to. He can work from Sunday to Sunday if he wants to.

Q. Are the bakers well organized in the State of Pennsylvania?—A. They are not well organized, but they have an organization.

Q. Has the regulation of the bakeries—your bakery law—been through the board of health system rather than by any other means?—A. Yes. The first section of the bake-shop law of Pennsylvania says:

"That no employee shall be required, permitted, or suffered to work in a biscuit, bread, or cake bakery, confectionery establishment more than six days in any one week, said week to commence on Sunday not before 6 o'clock p. m., and to terminate at the corresponding time on Saturday of the same week. No person under the age of 18 years shall be employed in any bakehouse between the hours of 9 o'clock at night and 5 o'clock in the morning. Excepted from this rule shall be the time on Sunday for setting the sponges for the night's work following."

We brought about forty informations in Philadelphia for the violation of that section. We had no trouble about the other sections. When we went after the bakers they realized what they had to do, and they did it; but the large establishments in Philadelphia and Pittsburgh claimed they could not get out their bread on Monday morning unless they worked on Sunday. We talked with probably forty of them. The smaller ones, when we prosecuted them, signed an agreement to comply with the law and the bigger ones when prosecuted carried the case to the court, and one of the judges of Philadelphia quashed the indictment and said that the writing of that section was nonsensical, and that there was nothing in it. They say, in substance, that the people who drew it up and the people who passed it were blockheads.

Q. What was the sanitary condition of the bakeries?—A. I found that the sanitary conditions in a number of shops were in violation of the sanitary laws of the State. We found them filthy, close, and with no ventilation, and in all respects prejudicial to public health. We found people sleeping in the bake shops; they had their beds or cots in there, and in some instances they were filthy beyond description. I would not want a dog of mine to be in places that I have seen.

Q. Yet they were making bread?—A. Yes; the bread looked all right when they got it on the street.

Q. (By Mr. FARQUHAR.) What are your views on the immigration question?—A. My opinion on immigration is that there should be more restrictive laws for immigration. In our work we find that the people that come to this country locate either in large cities or in some big coal-mining town, and that is prejudicial to the welfare and interest of American labor, and should by all means be stopped, if there is any way to stop it. The man who would come here of his own free will for the purpose of being a citizen, and is able to take care of himself, it is all right. But when they come in in droves, as they do in Philadelphia, New York, and other places, it ought to be stopped altogether. We found in Philadelphia that a man would land to-day and the next day would find him in a sweat shop making pants for starvation wages, by that system reducing the wages of American citizens who should have received good wages. If there is any possible way to keep them out it should be done.

Q. What restrictive legislation on this subject would you propose to Congress?—A. That would be pretty hard to do. If some plan could be adopted by which the consuls or other representatives of the Government on the other side could find out the condition of the immigrant before he starts, and in that manner regulate immigration, that would help to a very great extent.

Q. Do you think the proposed educational test, which was pending in the last Congress, would be of any benefit?—A. I suppose it would be of some benefit, but there is always some doubt. The only way you can tell is to try. We must learn by degrees; we can not tell. You may take up a proposition and it may appear all right, but when you come to put it in effect it is all wrong.

Q. But you think that consular inspection before the immigrant leaves Europe would be a good practical test?—A. There is no doubt that the consul could get the actual condition of the immigrant who wants to leave his country. If they can find out the condition of business men that are doing business as well as they do, there is no good reason why, with proper efforts, they could not find out the condition of men that want to come here.

Q. Have you discovered that a good deal of assisted immigration comes to Philadelphia?—A. I do not know as to that. My judgment, at least, from what I have seen, is that there is.

Q. What are your views on the convict-labor question?—A. In Allegheny County they formerly made barrels in the workhouse; in the penitentiary they made all kinds of manufactured goods, such as brooms, shoes, and goods of that kind, and it had a very depressing effect on wages. In fact, the workhouse in Allegheny County drove quite a number of men who were making barrels out of business. My judgment is that the only way to regulate the convict-labor question is to keep convicts on hand labor and not introduce machines in their work for any purposes. In that way they can not be put into direct competition with the better skill and production of the operators on the outside.

Q. What is the law in Pennsylvania in respect to convict labor?—A. The law enacted by the legislature of 1887 prohibits machinery in the trades, and they are allowed to employ 30 per cent on mats or 10 per cent on shoes or 5 per cent on brooms, or something like that. The people that drew up the bill thought they had just what they wanted. They thought they were making provision for 35 per cent of the number of inmates, and that they could be changed around. The matter was submitted to the attorney-general of the State, and he said they could only employ 30 per cent or 5 per cent or 10, at any one time, and the reason of that was on account of that word "or." If the word had been "and," it would have carried out just what they were after.

Q. (By Mr. PHILLIPS.) How does that law work?—A. The penitentiary authorities claim that they are opposed to it, and they insist on machinery being put in.

Q. (By Mr. FANNY B. AMES.) What disposition is made of the product?—A. It has been sold in the open market. I know of quite a large coöperation in Allegheny County that was forced out of business.

Q. Is there any provision in the laws of Pennsylvania for marking the products of convicts "prison made"?—A. There was, I think, prior to this law, but I do not remember whether that is in the present law or not; I do not think it is.

Q. What is your opinion of the means for securing uniformity of industrial legislation in the several States?—A. The International Association of Factory Inspectors meets every year and makes recommendations. If you could get the members who make the laws to think as the people who recommend them we could get uniform legislation.

Q. When you get to a uniformity of views in your association, is it left to the representative of each State to bring a recommendation to the State legislature?—A. Yes.

Q. Do you make recommendations to Congress?—A. No; we never have done it. At the session of the Delegates of the National Association of Factory Inspectors, representing the United States and Canada, at their convention held at Boston, Mass., last September, a resolution was passed by unanimous vote requesting the chiefs to recommend to the governors of their respective States the importance of having more restriction on immigration; also that they request the legislatures to urge the representatives in Congress to work and vote for such laws as would deter this class of immigrants, who are a menace to the welfare of American labor.

WASHINGTON, D. C., March 10, 1899.

#### TESTIMONY OF MRS. FANNY B. AMES,

Former Factory Inspector of the State of Massachusetts.

The commission met at 11 a. m. Vice-Chairman Phillips presided and introduced the witness, Mrs. Fanny B. Ames, former factory inspector of the State of Massachusetts, explaining that she would give information especially in relation to women and children employed in the factories of Massachusetts.

Q. (By Mr. NORTH.) What was your term of office as inspector of factories in Massachusetts?—A. I was appointed by Governor Russell in 1891 as one of the first women inspectors under the law which was passed that year, which per-

mitted the addition of two women to the force of factory inspectors of Massachusetts, and I resigned in January, 1898. The appointment is for three years, and I was appointed first by Governor Russell, reappointed by Governor Greenhalge, and reappointed by Governor Wolcott, and served over a year and a half of the last period, making nearly seven years in all.

Q. Did you have a lady colleague?—A. Yes; two women were appointed, and there have been but two women on the force, as the law only calls for two women inspectors. A young woman, Miss Mary B. Halley, was my colleague. She was a former factory girl—worked in the factories—and was considered especially desirable as an inspector because she was familiar with the work of the women in textile factories.

Q. Will you describe to the commission your duties as an inspector under the law?—A. The factory-inspection department, under Mr. Wade, divided the State into 11 districts. In each of these districts are two men inspectors—one of the first class and one of the second class. The first-class inspector, whose jurisdiction frequently extends to several districts, has to do with the inspection of buildings, as far as their safety is concerned; with fire escapes, elevators, and the enforcement of the building laws of the State. The other inspector has the enforcement of the factory legislation, so far as it relates to the hours of labor, sanitary condition, employment of women and children, etc. The two women have exactly the same duties as the factory inspectors of the second class—the enforcement of the labor laws—but they have no particular district given them. They could be sent by the chief into any district, or they could go of themselves. It was supposed, and the circumstances afterwards warranted that supposition, that women would receive notifications of the law being violated in respect to the women employed, and it was also shown that these women inspectors could, and in many ways would, be the confidantes of the women employed, and that supposition has been justified by the results, I think.

Q. Has there been a good deal of confidential communication between the women employed and the women inspectors?—A. A great deal. At first only a very small body of women workers understood that women were employed on the inspecting force, and that they could give them their confidence; but it has been the policy of the women inspectors to reach as many as possible by the free distribution of their cards. The card bears the arms of the State, with the title as inspectors, and it is generally understood that any communication, either anonymous or signed, would be attended to. The inspector has a right to enter any place where women and children are employed, and an anonymous notice is just as serviceable as though it were signed. Then I have been asked in hundreds of instances, I suppose, to address working-girls' clubs and organizations of working women, and in that way I have tried to make it understood what the laws were, what points they covered, and to ask that information be sent where there might be violations of the law regarding those points. I found, as was to be anticipated, that the law was greatly misunderstood in many cases. It was thought that the factory inspectors could remedy every evil under the sun, and there may have been some disappointments as to the limitations of their power. It became very evident to my mind, after a year or so of work in the factories, that many of the laws affecting women, such as the law which required seats and separate sanitary provisions to be designated as for men and women, were much wider reaching in their effect upon the moral life in the factories than could have been assumed at the outset.

Q. Did you consent to accept this appointment largely as a labor of love?—A. I was paid a salary, but I hope it was a labor of love.

Q. And you would not have done it unless you had had that feeling?—A. I certainly had that feeling. I had had a great deal of interest in the working women for a great many years. I should not hesitate to say that the office has been so undertaken with most of the inspectors I have met.

Q. Both male and female?—A. Both male and female. There are rare exceptions.

Q. As a rule are they honorable and conscientious?—A. Most certainly. I have had to go into the district belonging to nearly every man inspector on the force in Massachusetts, and it is very rarely I have ever found the work neglected or done solely in a perfunctory manner.

Q. Were you uniformly well treated by the manufacturers in Massachusetts?—A. I think I had but three or four instances in seven years when I was treated rudely by the employers, and but one instance in which I was ever obliged to bring a case into court. Cases were commonly settled by notification out of court. The design of the law is to make it a matter of notification; a violation is not treated as a criminal act, but as a misdemeanor, unless the violator persists in his noncompliance.

Q. Will you state your general impressions of the present conditions under which females and children work in the factories of Massachusetts?—A. We will consider the children first. I think it must be taken into consideration that Massachusetts has also a compulsory education law, which requires the attendance of children in school up to the age of 14. This educational law works in harmony with the factory-inspection law; so that it is an almost unheard-of thing that a child of 14 can be out of the schools in Massachusetts without there being two sets of people interested in restoring that child to the school—the factory inspector on the one side to forbid its retention in the factory or workshop, and the superintendent of public education on the other to secure its attendance at school. This law is so admirably carried out in all its provisions that you find in the small country towns that the superintendent of instruction will generally know the names of every child between the ages of 5 and 14 in his district. I have sometimes found children over the age of 14 employed without the required school certificate. The law requires that that certificate shall be held by the employer until the child is 16 years old; so that if the inspector finds a child over 14 and under 16 employed, he requires the school certificate to be on file with the employer. My own method was to go through a factory with a block of paper and a pencil, and every child or young person whom I saw, boy or girl, that looked as if under 16 or even under 18, was asked his name and age, and a request was made that he should write his name and age on the blotter. Then, having finished the inspection of the factory, I had a list of all the children under the age of 16. I then applied to the office, or to the overseer of the factory, for certificates for every one of those children. If a child had no school certificate, he was immediately notified to apply to the school superintendent for it, and, later, a form of notification was sent to the employer requiring him to have such certificate on file. Then, before leaving the town, I visited the school superintendent and gave him the list of the children that I had found without certificates. It is about as rare to find any child under the age of 14 in factories or workshops as it is to find a white crow. I had a few instances in seven years, but they were very rare indeed.

Q. Are the children over 14 that are employed overworked, in your judgment?—A. No, I should say that they were not. The work in the factories that is given to children of that age is very light work, and indeed I have sometimes found children at games and plays when I entered the rooms.

Q. Between times?—A. Between times. Where they are employed in the factories and in the shops they are given a light class of work; it is not skilled work, and therefore the subtraction is to be made that generally it is good training for the child.

Q. Do you think that kind of work injures a child at that age?—A. I do not think it often injures them physically, but I think it may injure them mentally.

Q. Or morally?—A. Morally. It gives them a good deal of idle time. It does not call out their best faculties. Physically, I think the children are seldom overworked. If you will go through the factories you will see that they look well, and it is only in a few instances that one would see a child looking pale or thin. Such appearances might be owing as much to the home conditions as to the factory.

Q. Do you believe in the proposed increase in the age limit to 16 years?—A. I do believe in it for the reasons which I have stated above—to give a longer time for training, especially where there are manual training schools. I think an additional two years spent in a manual training school would be of more value to the child than in the kind of work generally done in factories and stores. We should thus continually improve the kind of working people we have.

Q. Do you think that an opportunity should be given for the children to earn a livelihood before they reach 16?—A. The instances where children under 16 should be called upon to support themselves or others are few compared with the large number of those who arrive at that age annually. The tendency of the present law in Massachusetts, limiting the school age to 14, has been to increase very much the school attendance of children between 14 and 16. This shows how the law works to bring up conditions to its requirements. I think some modification might be made to suit the few cases where great hardship would result from a severe construction of the age law.

Q. Why do so many children want to work?—A. They love to earn money and have it in their power. I think most boys feel that it is a great gain to them if they can control their own pocket money or spendings.

Q. Do you think it is entirely for pocket money?—A. Not entirely, but the boy likes to be an earner. And many desire to escape from the school discipline.

Q. Is not that commendable, for him to desire to earn?—A. Under some conditions, very; but for his value to the State, I should think we ought to have a better educated workman than school attendance to 14 will give.

Q. (By Mr. FARQUHAR.) When boys or girls go into the mills at the age of 14 do they have continuous labor when they become more expert, or are they employed simply for the temporary use of the child labor itself?—A. A boy often works his way up, and he perhaps has thus some advantage in going into the mills and doing the unskilled labor. If he becomes trusted, and familiar with the work, it is so far an advantage later.

Q. Provided they are efficient do the boy and the girl continue through the stages of the factory work?—A. I have met a great many girls especially, who had gone into the mills when 14 years old and remained till middle life. Many have told me they had been in the mills twenty or thirty years. An employer in one of the mercantile establishments in Boston once said to me when I was objecting to the employment of children, "I went to work when I was a boy of 10 years of age, in order to support my mother." This man is now at the head of one of the largest dry goods establishments in Boston. I said, "Did you know your employer?" He said, "I did, and he helped me right along." I said, "Do you know one of your boys?" No, he did not know one. The conditions of labor have changed very much indeed from the time when that man went in at 10 years of age, and came in close contact with his employer; so that his employer became his friend, and he knew him well. This man did not know one of the children he employed; he did not know what their conditions were; he did not know whether they were becoming trained, whether they were violating the school law, in fact, or not. He could not help any of his boys as he had been helped.

Q. (By Mr. SLYNN.) Would you apply the increase of the age limit only to Massachusetts, with its magnificent school facilities, or would you apply it to the country at large?—A. I doubt very much whether that would apply unless school opportunities were also provided. It might result in throwing children onto the streets, and I would consider that more disastrous than work in factories.

Q. Do you think that any compulsory school and the age limit laws should go hand in hand?—A. I really can not see how the law limiting the age of employment of children can be well carried out without the compulsory school law.

Q. (By Mr. NORTH.) What is the age limit of the school law?—A. From 5 years to 14 is the State compulsory school law. Some towns make municipal regulations by which kindergarten instruction is given to children under 5 and high-school instruction to those over 14.

Q. What is the condition of the child employees in the mercantile establishments that were under your jurisdiction?—A. The age limitation applies to children wherever found, as also does the law requiring good sanitary conditions.

Q. Do you regard the seat law as important?—A. A very important law indeed, because it directly gives the physical relief which women so much require during their employment. It also serves to remind the employer of his obligation to care for the health of his employees. It has a very beneficial effect in that way, quite indirectly.

Q. Is it thoroughly carried out?—A. It is very thoroughly carried out, and yet continually violated through carelessness. In readjusting a great mercantile establishment the heads of departments leave the work to those who have charge of subdepartments. These frequently overlook or forget the providing of seats. I have gone into a great many of our best establishments, where I knew they meant to do everything in the best way, and have been obliged to remind them that they had not provided seats in such and such a place, and have always met with very great courtesy when making such complaints. I went once to a lace counter in a great store where a young lady stood waiting on several customers with a great deal of skill. I noticed two little red spots in her cheeks, and I noticed also that she did not have any seat. Upon going to the head of the department and saying, "You have a lady down at such and such a counter who is so valuable to you that she can wait on five people at one time, and yet you do not provide her with a seat." He replied, "Mrs. Ames, it is a shame; she shall have a seat immediately." And seats were carried down in my presence. Sometimes even the man who means to do the right thing requires to be reminded of it. That is the value of the inspection—it is a continual reminder.

Q. Do you think that employment in a department store is as good for a child as employment in a textile factory?—A. No, I do not. Indeed, I think the employment of women in most of our large department stores is much more severe, a much heavier strain physically and mentally, and much more severe upon children, and of less moral value, than employment in textile factories. The woman clerk has to be accountable to the head of the department and has to wait upon a customer who is often very exacting and unjust. She attends to everyone, touching elbows with the saleswoman next to her, works with a great deal of the stock above her head, and stands so for hours and hours, with poorer ventilation than in the textile factories, and the nervous strain which comes from being in a crowd, and under the necessity of meeting the requisitions of so many people day

after day is very great. The child is under a similar strain and subject to the exactions of many persons.

Q. Is it harder work than attending textile machinery?—A. Often to the woman it is harder work than attending a loom, because she is on her feet all the time, and at the same time required to work brain and hand. I think the children in many ways meet with more reprehensible moral influences. I will not say immoral influences, but immoral. What they learn is of very little value. Boys and girls so employed seldom do more than one thing, such as tying up bundles with strings, and become expert in that and nothing else, or in carrying messages from one department to another. There is very little training, as you can see, in such work.

Q. Is the employment of children in large mercantile establishments increasing?—A. No; it is somewhat diminishing on account of the use of the patent cash systems. Besides, partly on account of the bother of requiring school certificates for all under 16, many are saying, "We do not want any under 16." Many of the stores where formerly they had 100 or 150 children now employ not more than half that number.

Q. Can you tell us anything about the wages that are paid to the women and children in the department stores as compared with the wages they earn in mills?—A. They do not greatly differ. There has lately been formed in Massachusetts a consumers' league, the members of which agree that they will only trade in places where certain conditions prevail. The movement followed a similar one in New York. Their inquiries elicited the fact that in Boston most of the stores pay \$3 to cash girls and boys.

Q. Three dollars a week?—A. A week. And many of the stores announce that they do not want anybody who would earn less than that. That is what they say at Jordan, Marsh & Co.'s, Shepard & Norwell's, Hollander's, and Hovey's.

Q. Do you know what a child of like age would earn in a textile mill?—A. About the same, \$2.50 or \$3 a week; I think there is very little difference in the amount earned.

Q. What are the average wages of saleswomen in stores?—A. They range from \$6 to \$12. But there is a class of women who earn much more. These are women of peculiar talent. A young woman who stands at a lace counter in one of the larger department stores in Boston incidentally told me that she went abroad every year to buy lace for the firm. She goes to Brussels, Antwerp, Birmingham, and Paris. She is given carte blanche, all expenses paid, and earns \$15 a week; she earns at other times \$25.

Q. Are such cases rare?—A. Naturally rare cases; but while they are possible for women in mercantile establishments, they do not exist in textile factories. I think women can hardly earn more than \$12 a week in the textile factories.

Q. Are the safeguards and the sanitary conditions in the Massachusetts mills now satisfactory, so far as women are concerned?—A. As you all know, the first point of attack, as it were, of the factory laws was on the textile factories; and inspection and attention has been for so long directed to them that they are probably the most perfect of all employments in regard to the points which you have named. Once in a while a criticism may be made, but usually upon points that do not come under the law exactly. As, for instance, in a factory, in a factory in New Bedford, just as the bell struck twelve, I was walking through a room. At the sound of the noon bell every person in the room dropped his or her work, and all hastened toward the sinks, which were at the other end of the room, divided by a partition only about as high as the head. It was in the summer time. The young men and young women, on opposite sides, immediately began to wash their faces and hands, the men, though not screened from the women, throwing back their shirts from around their necks. I said to the superintendent, "Do you like the looks of that?" He said, "Well, Mrs. Ames, there is nothing immoral in it." "No," I said, "there is nothing immoral in it, but, after all, doesn't it break down a kind of modesty among the women and respect on the side of the men that would be a safeguard to these young people when they are out of the factory?" He said, "Well, I don't know but it might be so. Would you suggest any change that I could make?" I said, "Would it be possible for you to give up that provision, you have there to the men and put the women in an entirely different place?" He said it would only be possible by requiring the women to go upstairs to another set of toilets; and they might complain if they had to walk upstairs. I said to him, "Try it." And he did try it. Those are the points the law does not touch; I think the New York law does, but the Massachusetts law does not. I think they are important, and I think they would be a great protection to the women in those indirect and subtle ways which are somewhat difficult to suggest. As this man said, there was nothing immoral in this condition; nevertheless it was undesirable. The conditions which call for anxious

inspection and careful legislation now prevail in the clothing trade rather than in the textile. It is there chiefly where the surroundings are to be improved and where the carrying out of the law is most urgent.

Q. (By Mr. FARQUHAR.) Are the stairways properly screened in your factories?—A. Yes. Our factories are now really so well built that few criticisms are to be made; we have simply to keep them to the good standard. The machinery is already guarded in all dangerous points, so that it is very rarely that the inspector has any criticism to make in a well-established textile factory.

Q. On your stairways do you have the wooden or rubber tread?—A. The rubber or the iron. The number of exits required, taken in connection with fire escapes, is so great that there is much less danger to life.

Q. Are the fire escapes nearly all of the platform form?—A. Platform form; though many of our best inspectors are now greatly in favor of a fireproof stairway inside the building, built of iron and easily shut off from any portion of the building that should be in flames, so that by using the stairways which are used every day there is less danger.

Q. Are your elevators now at the ends, in the middle, or near walls of buildings?—A. That has not come under my inspection. I would say, in nearly all the buildings they were along the ends of the buildings.

Q. (By Mr. NORTH.) What is, in your judgment, the condition of female employees in factories to-day as compared with twenty years ago?—A. I should say that it was vastly better so far as hours of labor, provision of seats, and sanitary conditions of mills are concerned. It may be that other conditions are less agreeable. Certainly one gets that impression from Mrs. Robertson's delightful little book *Early Factory Life in New England*. I think it is very likely that work was more agreeable from this fact: there was a far pleasanter feeling between employer and employee than there is now. The strifes between capital and labor had not arisen. Then, in the second place, Mrs. Robertson sees it in the light of her youth. Youth is not likely to feel the hard conditions so bitterly as the adult. I fancy if you questioned many of the children to-day you would not find that they were unhappy. And I attribute much of the sunny way in which Mrs. Robertson looks back to her factory life to her youth and her mental condition at that time. In the second place, they were a homogeneous class—farmers' sons and daughters working for special reasons, some to save money to send themselves or others of their kindred to school, or for some purpose of that kind, and the whole purpose of their lives inspiring and calculated to stimulate them to effort. These pleasures very properly enter into Mrs. Robertson's views. But as far as the sanitary conditions of the mills are concerned, one has only to compare the old mills with the newer ones to see how much improvement has taken place.

Q. Do you think that employment in factories tends to produce immorality among women?—A. No, I do not. On the contrary, I think it has a very definite effect of disciplining the moral faculties. Such women learn to defend themselves and to take care of themselves, and immorality is very rare indeed. I consider it a very unjust impression to assume that factory women are immoral. They are generally an exceedingly moral class, supporting fathers and mothers, younger brothers and sisters, and accepting a very hard lot in life with a great deal of courage and constancy.

Q. Are they equal to any other class?—A. In this respect, to any other class in the community. They are sometimes open to criticism in manners, perhaps, but when it comes to the real body of virtue I think they will compare favorably with any class of women in the community.

Q. Is that without respect to their nationality?—A. Yes, I should say so, though exceptions may exist. I have been told that in one city of Massachusetts women may be seen going from factory to saloon; but this was said of the factory population of many years ago, and undoubtedly conditions have changed since the time described.

Q. (By Mr. RATCHFORD.) Does the employment of women in mercantile establishments have the same good effect upon morals?—A. I think that what I have said is equally true of women in mercantile establishments. One evil door will furnish grounds for adverse judgment of all. You have all heard the story of the young woman who, applying to a mercantile establishment for employment and being told what wages she will receive, replies she can not live on those wages. Then she is asked if she has not some gentleman friend who will take care of her. I have heard that of Macey's, in New York; Jordan, Marsh & Co.'s, in Boston, and Wanamaker's, in Philadelphia, and I have tried to trace it to the applicant and the person making the evil suggestion, and I have tried in vain. When I have questioned woman after woman, and have asked, "Was any such a question ever asked you?" the reply has often been, "No; I would like to see the man that



would dare to ask me such a question." The same may be said of a great many kinds of employment. The women in them take a hard lot in life and bear it bravely.

Q. (By Mr. FARQUHAR.) Is it not a fact that insufficient wages, unsteady employment, enforced idleness, deficient education, and limitations as to the finery of the person are the only reasons of the downfall of girlhood and womanhood?—A. Undoubtedly.

Q. (By Mr. NORTH.) Do you advocate a law prohibiting the employment of either women or children in factories?—A. Not at all.

Q. Do you think it would be unjust?—A. I think it would be quite unjust to the women. Nobody works because he especially wants to; he works because he must, and it would be most unfair to legislate to lessen the chances of anyone for procuring work.

Q. You are aware that women do not receive the same wages that men do, even in the same work?—A. Yes, even for the same work; though women do not always do the same work. A great deal of the work that women do is less skilled or less difficult work.

Q. Will a female weaver receive the same price per cut that men do?—A. Generally, the prices for piecework do not differ, but there are physical reasons in the greater endurance of men that would account for their earning more; yet I was told of a woman in one of the Lowell mills running nine looms, and there was not at that time any other person in the mill that did so much.

Q. (By Mr. FARQUHAR.) In cases of strikes in those mills, is it common for the women and children to strike with the men?—A. We have not had a strike in the mills of any great consequence for a long time. The strikes have been in the shoe factories.

Q. What are the opportunities in Boston for education after 14 in the evening schools or lyceums?—A. We have excellent evening schools. Our evening schools are as good as our day schools and as stringent. They admit all, and are of great advantage to adults, especially. They include bookkeeping, stenography, and many subjects of a kind intended solely for adults.

Q. (By Mr. SMYTH.) Are they public schools?—A. Yes; public schools.

Q. (By Mr. FARQUHAR.) Does the State supply free text-books to the day and evening schools?—A. Yes.

Q. (By Mr. SMYTH.) How long do the night schools remain open?—A. They open the last of September and close in March. The sessions are held in the buildings occupied by the day schools.

Q. In the large manufacturing cities are these night schools very largely attended?—A. Very largely attended. If a foreign-born child under 18 years of age and over 14, an illiterate, comes to Massachusetts, for instance, and applies for permission to enter the mills, he can only do so by attending the night school. If he is illiterate in English, although he may know his native language, he must attend the evening school until the master has issued a certificate to him. And all such children receive a special class of certificates, which allow them to enter the mills.

Q. Can they work in the mills without these certificates?—A. Only by attendance at the night schools.

Q. You mean while they are attending the night schools?—A. Yes; during the session of night schools.

Q. (By Mr. NORTH.) Do you observe that opportunities for female employment are constantly increasing and enlarging?—A. Very much so. In some cases women are being substituted for men, which I think is unfortunate.

Q. Are they increasing the competition?—A. Yes; but it is also true that a larger number of persons is necessary for the unskilled work which machinery requires. A person is now often but an attendant on a machine, and machinery is becoming more productive, while so many more things are manufactured that a place for much unskilled labor is afforded without lessening the number of persons employed.

Q. Are you satisfied that the constant improvement of machinery has resulted in a corresponding displacement of human labor?—A. Not at all. It may change the character of human labor. There is also a continual struggle, one might say, going on between hand labor and machine labor. Hand labor is continually remanded to higher artistic work, and thus the more skillful workers are called to a higher class of work. Their work is much better paid and more valuable artistically. The unskilled workers are retained as machine workers. Even here education and training tend to separate machine workers into the skilled and unskilled. A cursory observation of the conditions in France makes it very evident to me that the French people have recognized this more than we have, and they are continually trying to increase the hand skill of their working people.

Therefore they take out of our hands a great deal of skilled and artistic manufacture—or at least we have not got it yet—that the United States might have by better technical training. We have a brilliant class of working people; we have the most intelligent, the best cared for, and they live the best of any working people on the face of the earth.

Q. Does the lack of facilities for industrial training somewhat account for our failing to obtain supremacy in skilled manufactures?—A. By increasing the number of years a child remains in school, and making the character of the education not book education alone, but hand training, also, we shall be able to compete with the world.

Q. What are the effects of manual training upon the children?—A. I will give an illustrative instance. There has been for some time in Philadelphia a manual instruction school, teaching drawing and designing and the first work in metal and wood, which is part of the course in all manual training schools. One of the proprietors of the Baldwin Locomotive Works told me that they would rather receive a boy from that manual training school than to receive him from the common schools without that manual training; because, he said, he has a quicker eye and better hand, gets more interested in his work, and will advance faster in the shops than a boy that merely goes through a grammar school. That shows that manual training, even where it keeps him longer in school, does not hinder a boy but rather helps him. The graduates of the manual training high school of Boston find employment almost immediately and a better kind of employment. If they do not go to the Institute of Technology to fit themselves for some higher form of manual work, or for engineering, they are immediately wanted in the great shops and have no difficulty whatever in getting work. Skilled work is always in demand. The great mass of our people, however, go to work as soon as they get out of the grammar school, and consequently they have to accept the unskilled work. Manual training is gradually being introduced in the Boston grammar schools. The girls are taught sewing and cooking, and boys wood and clay work. Manual training, it is conceded by educators and observers, quickens the intellectual faculties of children; helps the moral nature, too, and makes the pupil more accurate and more industrious.

Q. (By Mr. FARQUHAR.) What effect does the demand of the factories for labor have on domestic service?—A. A class of women prefer domestic service, though the class would seem to be diminished somewhat by the demand from the factories, but it must always be recruited from the large number who prefer domestic service and give themselves to it. Some of the problems of domestic service are, I think, produced by the habits of women of wealth rather than by the factories. That is, an unskilled working woman can get as good wages as a skilled woman in domestic service.

Q. (By Mr. NORTH.) Is it not true that domestic service is very scarce in and around Boston?—A. The whole trouble is in getting competent service, and not alone in domestic work. I never went into a shop or mill yet but what I felt that factory women had an advantage over the domestic worker in having their work differentiated and simplified. Housework requires more skill, a higher order of intelligence to do its various offices, than is required in most mechanical work. Yet the same want of skill is often shown in the factories that is shown in domestic work. Women in the factories often break machinery through carelessness, just as they break china in the house; they often destroy, and destroy willfully; they leave at a moment's notice, and they make trouble with all the other help around them. You find in the factories and shops all the troubles that prevail in domestic service; no employer is entirely without them. The domestic training schools are doing something to raise housework to the dignity of a profession, just as nursing has been raised, and from being a nondescript employment it bids fair to become a profession.

Q. (By Mr. FARQUHAR.) Does the New England girl enter very largely into domestic service?—A. No, I think not; nor are the born New England women often found in the factories. Years ago the New England girls were pushed out of the mills by the Irish girls, and they in turn by the French Canadians, and now the Portuguese, French Canadians, and various nationalities are in possession.

Q. (By Mr. A. L. HARRIS.) What are the American girls doing?—A. They are stenographers, typewriters, heads of academies, schools, and colleges.

Q. Have they been pushed out, or have they risen?—A. They have been pushed out in the first place, and been obliged to train themselves for something else. The Irish-American girls are teaching our schools; a very considerable proportion of the public-school teachers in Boston are Irish-American girls.

Q. (By Mr. NORTH.) Have you had any experience with these schools for house service?—A. I have had some experience, though these schools are yet only experiments—successful experiments in a small way. The introduction of cooking into

the regular curriculum of the common schools, as in Boston, is also an evidence of the growing estimate of domestic work. Cooking is now taught in three grades in nearly every girls' grammar school in Boston. The director of cooking issued not long ago a series of questions to the mothers, asking their estimate of the lessons given to the children; this was in one of the districts which is largely inhabited by foreigners newly come to this country, and the answers showed the mother invariably delighted to have her child taught to cook food skillfully, and stated that they could live better and more economically; that they were learning to eat better and different food for that used before. In Italy they had eaten polenta or boiled pumpkin, in Germany another food line, and in Russia another. Now they were learning to have a more varied diet in which better elements entered, and yet not costing them any more.

Q. Will you tell us of the relations of women to trade unions?—A. There have been one or two trade unions connected with the Central Labor Union. I think they have had a very excellent effect among the women in some respects. It has brought them to a solidarity of feeling about their own work, about their trade interests, and about their obligations to other working people that has had a good effect on them. Whether it has not, in a way, also intensified their feeling of antagonism to their employers in general, I do not know.

Q. (By Mr. FARQUHAR.) Do they become more aggressive the more they know their rights?—A. Yes; they become more aggressive.

Q. What organizations do these ladies represent?—A. They represent various small trades—rubber workers and various branches of the clothing manufacture. I do not think the dressmakers or the milliners have been organized. There is an organization of women clerks, which is a beneficial organization. It has now several hundred members. It takes in women clerks from nearly all the larger and smaller stores. It is run entirely by women, their president, secretary, and treasurer and all other officers being women clerks. It comprises a very intelligent class of women, and they have done a great deal of good to their members. They are now chartered under the State law, and have regular meetings in which they discuss their own business affairs. One of its excellent requirements is that the older members are pledged to look out for the younger women with whom they work; so that it has had a double effect—an economic and a moral effect.

Q. Does this organization take any part in the agitation regarding hours of labor or wages?—A. No, except incidentally. Making each other's acquaintance, they become interested in the way in which the employers treat them in different stores, compare the treatment of one employer with that of another, and in that way help each other to a better understanding of what they ought to receive.

Q. (By Mr. NORTH.) Do the female spinners in a town like Fall River belong to the spinners' union?—A. I think they do.

Q. Do they have unions where both male and female are members?—A. I think this is the case. In the shoemakers' organizations there are men and women on the same level as to membership, and they work together very intelligently.

Q. If need be, do they strike together?—A. Yes. In Marlboro in the present strike you will find the women striking with the men.

Q. Do they contribute equally to the fund?—A. I think so.

Q. Do they get equal wages for piecework?—A. Yes; I think they get equal wages for piecework all through, but the kinds of work differ, and the less well-paid work is given to women.

Q. (By Mr. PHILLIPS.) You spoke of having visited France, Belgium, and Germany. How do the sanitary conditions there compare with our factories?—A. I would assume too much in saying that I know the conditions so as to report upon them intelligently. I have only seen one or two factories in each of those places. The hours are longer, the age of children employed is below the age we permit, and even the sanitary conditions, in most cases, are inferior. The German factories are in many respects of very high grade, though the legal requisitions are not so severe as in Massachusetts.

Q. Are they as greatly regulated by the State?—A. The French regulations go into more minute particulars and are very well enforced. They have a large number of inspectors in France, both of men and women (almost an equal number of each), and the inspection is done very admirably indeed.

Q. (By Mr. NORTH.) Are their factories, as a rule, equal to our mills in equipment?—A. No; not in what is required by the factory law.

Q. Did you see any factories that were at all comparable to ours?—A. I did not; although I did not visit many factories under the guidance of factory inspectors.

Q. Do you think that the factory buildings generally in this country are superior to any in the world?—A. I think our conditions as a whole superior.

Q. Including the English?—A. Yes; I think so; although I can not say positively as to that. The English factory law has been in force a long time and much public and parliamentary attention has been directed to abuses. I think that still the factory conditions and the conditions of the working people are not equal to those in this country. We have never had the abuses that they have had, either in the employment of children, the overworking of women, or in many respects. \* \* \* As you gentlemen are interested in the indirect results of inspection, it occurs to me to speak of one instance of the hundreds of complaints, both anonymous and signed, and calling attention to the conditions and supposed violations of law in certain workshops. Frequently the matter of complaint did not come under the law; was a personal contest between employer and employed relative to a question of wages or some other personal matter. However, I generally went to that factory or workshop even though I had no law to enforce in the particular point at issue. I received from a young lady a distressed note saying that she thought the women in a restaurant were having their health injured by carrying out trays very heavily loaded. There seemed to be no possible construction of the law that could be applied; but while inspecting the restaurant I said to the employer, who seemed a very generous man, "Are you sure that you do not overtax these girls in lifting heavy weights, trays, etc.?" He said, "If I do I do not want to," and he immediately called the woman at the head of the department and asked if she knew how heavy the trays were, and immediately had it remedied. There, you see, an inspector could remedy a matter which the law could not by any possibility touch. And I give it also as an instance of the disposition of a majority of employers. I have had many employers say to me, after making an inspection, "If there is anything I can do to benefit still more the men and women in my employ I should be glad to have you tell me." I have also seen the contrary spirit shown, but it was the exception.

Q. Do you think there would be far less trouble between employer and employee if there was a better understanding of the conditions in which industry is conducted?—A. Yes; I think it would be so.

Q. Do you believe that a great deal of the friction that comes is unnecessary?—A. A great deal is; there is a latent suspicion in the mind of both employer and employed that their relations are not identical. One is afraid of the other; one thinks the other is getting a little more than he ought to have, while the other is afraid he is going to have more asked of him than should be.

Q. What do you think about the proper workday for women?—A. I think it is inevitable that it should be reduced in time, though a great deal can be said on the side of the great manufacturing concerns, that have enormous plants which will stand idle. On the workers' side the claim is that, while the employer gets the advantage of increased power of production in the greater power of modern machinery, the laborer gets none unless by a shorter day. Mrs. Robertson tells me that when she was a girl, to run one or two looms was as much as any woman would have tried. Now, in some instances, there are women running nine looms, and the looms have more than doubled or trebled their speed. This means more work and harder work. It is also claimed that a shorter day would not lessen production even in hand work. Perhaps you would be interested in the experiment of a gentleman who had an establishment in Fitchburg where were made the balls used in bicycle bearings. When he first took charge of the establishment they were running ten hours a day, with the exception of Saturday, when they ran eight, making fifty-eight hours a week. Women were employed in inspecting the balls. They do this by touch, which becomes very perfect in time and sensitive to the least imperfection; the balls are dropped into boxes, the perfect balls into one box and the imperfect ones into others, graded according to the imperfection. In the afternoon the work done by one woman in the morning is inspected by another, and thus there is a double inspection. He became persuaded that there was a certain strain in this work on the eyes, the fingers, and the attention, and finally he made up his mind that shorter hours would be better for the women and would not lessen the amount of work done—it would be better for their health and quite as well for the business. Accordingly he directed the women's department to be run but nine hours a day. At first the women were very much distressed. As they were paid by the number of thousands of balls inspected, they thought it would permit them to earn less money; but they soon found that they did just as many balls in the nine hours as they had heretofore done in the ten; and they had besides ten minutes' vacation in the middle of the morning session and in the afternoon. Later, the time was shortened to eight hours and a half. There was not so much objection as at first, because they began to see what the object was, and they soon found they did just as much in eight and a half as in nine. At last accounts the time had been shortened to eight hours, and it was believed it could be cut down to seven and one-half.

Q. (By Mr. CONGER.) Is it your opinion that the hours of labor should be reduced by law?—A. That is quite another matter. What I wanted to show was that the trend of intelligent business management is to the conclusion that when a person who is doing the work has less strain upon him, he will get out more work up to a certain limit, in less time; and where the work is done by the piece it is done with less dawdling and more diligence, nor is it so hard to work with that severe attention for less time as it is to work longer hours with less attention. We may find that it is desirable in time to do by law what a few persons are doing voluntarily. It is in that way that the original ten-hour law was tried tentatively in England; a few manufacturers tested the matter in their own factories and found that their people could do as much in ten hours as they theretofore had been doing in twelve and thirteen; that made the law seem reasonable. I think such experiments are going on all over the United States, and especially in Massachusetts, and it may make it apparent that an eight-hour day is as good for the employer and much better for the employee as the present ten-hour day, since it is also apparent that machinery has much increased its productive power.

Q. (By Mr. SMYTH.) Have you noticed that the Northup loom relieves the condition of the weaver?—A. Yes; in avoiding the sucking of the thread.

(In answer to a question concerning evening schools.) Teachers in the evening schools are required to have the same grade certificate as those who teach in the day schools. No man or woman can be appointed to a teaching office in the evening schools who does not possess the certificate of a certain grade from the school supervisors, and that grade is the same as the day school. The authorities prefer not to have the same teachers that teach in the day school.

Q. I suppose those schools, while composed of adults chiefly, have a great many in the primary departments?—A. Yes.

Q. Does the curriculum have to be graded to the intelligence of the people?—A. Yes; the courses of study cover the studies of the primary, grammar, and high schools, though the latter are not quite as full. But it is permitted to the pupil to choose his studies, provided he chooses enough to keep him occupied at least two nights a week. When he has done a certain amount of work he receives a certificate for that. Completing thus six subjects he may be advanced to a higher grade. The high school, though not requiring exactly the same as the day schools of that grade, yet give a high course of study, including algebra, geometry, French, German, physiology and hygiene, bookkeeping, and phonography, with English composition, higher arithmetic, and history. There are also special evening drawing schools, where designing, free-hand and mechanical drawing are taught.

Q. Are they optional?—A. The studies are all optional. A boy who wants employment as a correspondent in some business house and needs to work up his French can do so, or another can fit himself in Spanish or German, and choose accordingly. Here will be one who is getting ready for college while he is at work during the day. A number do this, supporting themselves in the meantime by their work.

Q. How are those teachers paid?—A. They are paid by the night, at the rate of about \$5 for the men teachers, and \$2 for women.

Q. What is the number of pupils?—A. About 5,000 are in the evening schools, while in the day schools there are 83,000 and over. The evening drawing schools have between five and six hundred pupils.

Q. Do these teachers pursue their work in the day?—A. A number of them are pursuing a law course in Harvard; some are teachers in other places than Boston; many are students in medical and other schools; but all must have the teachers' certificates from the supervisors of Boston.

Q. (By Mr. RATCHFORD.) Have you found the displacement of male by female labor greater than the displacement of female labor from its former avocations by that of male employees?—A. Historically, I should say the men have taken women's work away from them, if we look at it from the long line of history. Women were once the weavers and spinners and textile workers entirely, besides being dispensers of medicine and doing many other kinds of work now almost monopolized by men.

Q. Is it also true that in the laundries and bake shops, hotels, etc., women have largely been displaced by colored labor, Chinese labor, etc.?—A. I think so.

Q. Has this caused large numbers of women to be thrown upon the labor market?—A. I would not say "thrown upon the labor market," because, it seems to me, as I said a few minutes ago, they are rather beckoned into new trades. We have increased tremendously the luxuries of living, and the manufacture of articles of use and luxury—such things as lie on this table, for instance—our grandfathers knew nothing of them. They did not have penknives or small con-

veniences of this kind. The number of "things" one requires at the present time is very great. All this gives employment to large numbers of women as well as men.

Q. If not "thrown upon the market," have their occupations ceased to exist?—A. The feminine occupations in the home have certainly changed. For instance, take a family such as I have in my mind this minute—that of an Irishman. He was a laborer with five daughters; once these daughters would have been employed at home; they would have carded, spun, and woven the cloth their dresses were made of; they would have knit their own stockings and made all their own apparel; the family would have had to live, so far as money was concerned, on what the father earned. Now, every one of those girls is employed outside the home. Though none of them receive a very high wage, the united family income makes a very excellent sum for the family to live on, so that the father does nothing. After the fashion of some people, he sits in the chimney corner, though he is not an old man. The daughters are all intelligent girls, who have been through the schools. They live in much better style than such families did originally. I do not take the dismal view in regard to the employment of women that a great many do, for I think of many instances where it has tended to the uplifting of the family.

Q. Are you in sympathy with the condition of affairs that is driving the young woman out of the hotels, where their labor is displaced by that of males?—A. I have not thought of that particularly. I think there might be something said on both sides. Women likely to be employed in hotels in domestic work must be doing domestic work elsewhere, and perhaps under better conditions than hotels would afford.

Q. What influence has the introduction of labor-saving machinery had on the employment of women?—A. I think it has given them a vast field of work, instead of depriving them of work; that laundries have increased, and although there are men in the laundries, there are a great many women also. In the laundries in the vicinity of Boston, Worcester, and Springfield there are more women employed than men, and yet there has been in laundry work perhaps the greatest increase in labor-saving machinery, with the exception of shoe work.

Q. Do you believe that the machine is opening new avenues of employment?—A. I do.

Q. (By Mr. C. J. HARRIS.) Do you think that after a boy who wishes to be a machinist has gone through the grammar school it would be better for him to go into the manual training school or directly into the machine shop?—A. By all means, it would be much better to have the advantage of the higher education, such as our manual training schools give.

Q. As the actual result of experience, do the head men of these shops, instead of coming from those manual training schools, come from the boys who started in, perhaps at the lowest round of the ladder, in such shop?—A. I think they do at present, because we have had no manual training schools until recent years. The schools give the boys a better chance; conditions are changing continually, demanding more, so that, unless we change, too, we are going to have a whole nation, as it were, of half-educated working people, a peasantry, in other words, which I hope we shall never have in America.

Q. Is it your experience that a graduate of a grammar school is a pretty well educated person?—A. Only in books, and not in books sufficiently well. I think in all the large cities they are introducing drawing, designing, sloyd work. ("Sloyd" is a Swedish word, indicating sleight, cleverness; a technical word given to a kind of elementary manual training, which has been introduced into this country from Sweden; the pupil works in wood with a knife; and he learns also the use of the elementary machines, chisel, file, knife, planing machine, and in that way obtains a certain hand and eye training. It is pursued for educational purposes, because the theory most accepted by those who have most right to lay down the law in those cases is that the training of the brain depends upon the training of the hand.)

Q. (By Mr. FARQUHAR.) Is it a fact that the whole of manual training is an education of the eye?—A. And the hand and brain. The hand obeys the eye and the brain better than without training.

Q. (By Mr. NORTH.) Can you tell the commission more about what you observed in the training for the hand arts and the crafts in Europe?—A. The French Government has recognized the value of manual and technical training. In nearly every large provincial French town will be found a technical training school, each city devoting it to the art for which they have become famous. A city in southern France makes damascened swords and scissors, and does a kind of chased-steeled work, which gives them the supremacy of the world in that manufacture.



Another city takes another specialty, and trains its children for that. I think all who have studied the subject deprecate the training in any special trade until the child has reached a certain age, because it tends to fix him in that trade, and he is in the position of a man I once met; he could make marble paper, but nothing else, and marble paper had gone out of fashion, so that he could not get work. General training which teaches a child how to handle a tool is better for younger children.

Q. You do not believe in trade schools?—A. I do believe in them, but I think they should follow the manual training schools.

Q. You think trade schools would be a good thing?—A. Yes, for adults and those who had passed first youth, who were, say, past 16 at least; a trade school which would supply the idea of training in the special skilled work, such as I was speaking of a moment ago. The architects of Boston complain that when they want a bit of fine carving or molding they can not find people here to do it; they must send abroad to get French or German workmen, especially French workmen, to come over here and do it; we have not those trained people.

Q. Do you find that trades unions are frequently opposed to the idea of trade schools?—A. I think they are mistaken in the ground they take.

Q. What is that ground?—A. Their ground is that it permits more people to enter their craft, whatever it may be, and compete for their wages.

Q. Do they think the effect would be to reduce wages?—A. Yes, whereas this has not been the effect. On the contrary, you will find that in France wages have increased, as they have in our own country, as skill has increased. I think, moreover, they make another error in that matter, and that is they tend to lower the character of their own trade instead of raising it.

Q. Personally, you distinctively believe in trades unionism?—A. I do. As I stated a moment ago, the faults sought to be remedied were almost entirely among the textile factories when factory laws were first established, especially in England, and afterwards in Massachusetts. Those faults have perhaps prevailed more in what we call the sweat shops, though I dislike to use that term, because sweating does not refer to the shop; it refers to the relation of wages to the amount produced; but I notice there is a sort of cant which calls every shop where clothing is made a sweat shop. It may not be a sweat shop at all, because the employer may not be sweating the employed, so far as wages are concerned; the faults have arisen from the kind of people that have been largely employed. The Russian Jew is often a very dirty man, but he is a thrifty man and he is a very good workman; they are largely tailors. The Jews and the Poles, within a very few years, have been largely the persons who were employed in making men's ready-made clothing, and women's, too, for that matter. They have been willing to do it under conditions that were inimical to health. Of course public attention had to be called to that fact—too many persons employed in one room—no proper sanitary conditions. The people eat their lunch in the workroom; they throw the remains of the lunch on the floor; instead of being swept up it is pushed under the piles of clothing; it lies there and decays with the refuse and sweepings. Of course that makes a very bad condition of affairs. They have been very willing to employ children under age if they could do so. Now, that we have such stringent laws against home work, they are no longer permitted to do this work in their own homes, by which for a long time they saved the rent of a shop.

Q. We have had testimony to the effect that the sweating system has been got under control in the city of Boston. Is that your opinion?—A. All those sanitary conditions of which I spoke have been got under control. But the sweating is another matter; the evil sanitary conditions are obliterated; home workers are not permitted except as I explained to you, under the license provision, and are visited by the inspector as though they were workshops.

Q. It has been stated that by doing away with the sweating system the clothing trade of Boston has practically been driven elsewhere. Is that your observation?—A. Yes, probably.

Q. Has sweating been abolished in Boston?—A. I do not know. I do not know whether some work is not done under contract as before, and therefore sweated. What I mean to say is that the unsanitary conditions are obliterated; that children under age are not working, and that the workshops are kept clean and stand on a plane with the other workshops, but I do not know as to the system of contracts.

Q. Do you mean that all that is possible and sweating may still go on?—A. Yes, so far as wages are concerned. I think, too, that our law has abolished the home workshop. That is a very important thing.

Q. (By Mr. FARQUHAR.) Do you mean the dwelling house used as a shop for all the family, without an outsider being employed in the family?—A. We do not call it a workshop if the family is alone.

Q. You have no regulation against that?—A. Yes, we require the home worker to be licensed and inspected and visited. We do not allow them to bring in one outsider; such an arrangement does not take away the work from poor widows and single women; they can still continue to do their work at home under inspection; yet we have removed the evil sanitary conditions, and the employment of children illegally, which prevailed before. The change for the better may also be owing to an improvement in the class of people who do the work. When they had newly arrived and did not understand English they did not know how to defend themselves from the exactions of unjust employers. But gradually, as they learn English, and become used to American conditions they can not be treated that way; and they have formed unions, very strong unions, the Garment Workers' Association and others, which has helped them very much; so I think Mr. Wade is right in saying that sweat shops have been abolished.

Q. (By Mr. NORTH.) Do all of these sweat-shop evils seem to be connected with the class of immigration?—A. Somewhat.

Q. (By Mr. FARQUHAR.) Do the foreign and native population of Massachusetts assimilate, or are the foreigners colonized, retaining their customs, habits, and language?—A. In some parts of the city it is largely colonies of different religions and different nationalities, but they are assimilating; the public school accomplish that more than any other agency; the little Hebrew boys sit in school by the Italian boy; they both sit by the Irish boy, and in turn associate with the Yankee boy. Each learns to trust the other; all learn the English language, and they learn to sing "America" together.

Q. (By Mr. NORTH.) Have you hopes for the coming generation?—A. I feel quite sure of it.

Q. Is there a large foreign population in Boston?—A. Thirty-four thousand Italians; more Italians than we had American population at the close of the Revolutionary war. We have 275,000 Irish population.

Q. (By Mr. SMYTH.) Have you a great many Greeks among your cotton-mill operatives?—A. We have some Greeks and Syrians.

Q. (By Mr. FARQUHAR.) Is the foreign-born population in Boston greater than the native?—A. Much larger; the original Yankee population which made Boston is very much smaller than the foreign and that of foreign parentage.

Q. (By Mr. CONGER.) Does attendance upon a parochial school where a foreign language is taught satisfy the conditions of the law, or is attendance upon a school where only English is taught necessary?—A. I do not know of a parochial school which teaches exclusively a foreign language. I do not think a child could receive a school certificate which permits it to work without the assurance that it had been educated in English; but I do not think there is any trouble about that, because I do not think we have a parochial school that does not base the whole course, as nearly as possible, upon the public-school course. We have no trouble in that respect. The child coming from the parochial school, who brings from the head of the parochial school a certificate that he has passed certain examinations, is a requirement of law that the children's education should be in English. You have trouble with the teaching of German in Michigan. We have no such problem in Massachusetts.

Q. (By Mr. SMYTH.) What is your penalty in Massachusetts if a parent refuses to send his child to school?—A. It is \$100 maximum fine for an employer and \$50 for a parent violating the law. Parents are proceeded against by the school committee, but not by the factory inspectors. The factory inspectors proceed against the employer.

Q. (By Mr. GARDNER.) In case of inability to pay the fine, what is the remedy?—A. In that case it would be imprisonment, I think.

Q. (By Mr. NORTH.) Is socialism increasing among the working people?—A. I think not to any great extent. The majority of them are quite indifferent. I think the majority of working people, as far as I have observed them, are satisfied with our present form of civil order. They feel that they can work out their own lot in life under the existing social system.

Q. Does your experience with the labor leaders lead you to believe that, as a rule, they are very intelligent and high-minded men?—A. Very intelligent men.

Q. You think that is true of the labor leaders in Boston—Mr. Lloyd and Mr. McNeill?—A. Yes; I think it fair to say that there is great danger of a labor leader becoming merely a talker about labor.

Q. (By Mr. KENNEDY.) Has it been your observation that factory-inspection and other laws which have benefited the women and children in Massachusetts, as well as the men, have come largely from the movement of organized labor?—A. I think of late years the labor organizations have more and more called the

attention of the legislatures to certain evils, but the original movement came entirely outside of the labor movement. The first movement in Massachusetts came from three members who were not connected with the labor movement—the commission appointed by the legislature to inquire into the conditions of labor; so in England the first commission, in 1804, was before the rise of the labor organizations; it came entirely from the highest class in England. All the first movements came that way. Trades unions followed the bettered conditions of the working people. In the United States the conditions have been different. The moment a workingman becomes an American he either is or can become a voter, and can not be ranked with the foreign laborer. Recent changes have made the condition of the English laborer more like that of the American. Until now he has been depending upon the initiative of the upper classes. Now he has his own representatives in Parliament. The first factory inspectors' reports in England continually called the attention of the public to and asked for parliamentary inquiry into the condition of certain factories and certain kinds of employment. I have read every factory inspectors' report of England from 1834 down; that was the year they were first employed. It is like a panorama passing before the view. The working people were almost too far down at first to be legislated upon; no more than cats or dogs, so far were they below public notice of legislation. The conditions have been immensely relieved in England, and the full status of the workingman has been altered by the ameliorations brought in by the factory law. I do not attribute so much to the unions in former years, though now it is quite evident that the labor unions are more sensitive to the conditions than outsiders could be for which they seek redress. But the movement began outside of them.

Q. I referred particularly to the recent inspection laws, like those in Massachusetts?—A. I think that is true in recent years. I think the original investigation which called out the first factory law in Massachusetts began quite outside of the labor unions.

Q. (By Mr. SMYTH.) Did it begin among employers of labor or literary men?—A. I should say men acting merely as good citizens. I believe Mr. Rogers, the member of the legislature who early moved in labor legislation, was an employer.

Q. Was it a voluntary concession of the employer of labor?—A. It has that appearance.

Q. Do you think the history of the amelioration of the conditions of the laboring classes in England and in this country shows voluntary concessions from the capitalistic classes?—A. I think it was so originally.

Q. (By Mr. KENNEDY.) Is it a fact that a movement in favor of municipal socialism is growing in Massachusetts?—A. If you give it that name, it is simply a new view of and an increase of the powers of the municipality; certainly not the technical socialism. I think Mayor Quincy has introduced as many new phases of municipal power as any mayor in Massachusetts, but I do not think he would call himself a socialist.

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